INDEPENDENT CASE STUDY

# Pittsylvania County, Virginia

## A Data Center Case Study

The County Turned Down One Data Center Plan, Then Rezoned for a Bigger One

Companion to What Virginia Is Spending, What Virginia Is Getting (v5.3)

Pittsylvania

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Williamsburg and Christiansburg, Virginia

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# CASE STUDY: PITTSYLVANIA COUNTY

*The County Turned Down One Data Center Plan, Then Rezoned for a Bigger One*

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Disclosure: The author serves on the advisory board of an Alfred P. Sloan Foundation-funded study at Emory University on data centers and the Southern energy buildout. The study had no role in this case study.

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## SUMMARY

In April 2025 Pittsylvania County refused to rezone 763 acres for a private gas plant and data centers. Nine months later the same Board made data centers by right on 3,500 acres at Berry Hill that already permitted private power plants, in a district whose text says the county's own data center standard does not apply there, and within eight weeks its regional industrial authority had approved a sale contract defining the buyer's project as no less than 3,300 megawatts of data center capacity with onsite gas generation.

The district put a standard of its own in place of the county's: looser on noise, water, testing, utility approval and height; stricter on buffers, emergency planning and fencing, and for power plants on distance from residential zoning. The applicant the county refused had proffered, in the last statement before the Board, to hold its data centers and its power plant to 52 dBA at the property line, subject to the noise ordinance's exemptions; the district's number is 77, and it applies only beside residential zoning. Seven months after the rezoning the Board adopted a site assessment for new facilities of 100 megawatts or more that exempts the megasite district, under a name that is not the district's, from most of its requirements.

The land had been wired for load since 2022, through a rate clause, under a 2019 pilot statute that deemed the cost of a business park's transmission reasonable and prudent. Since July 2023 the statute also deems a business park's need for such transmission met once the state's economic development agency approves the park. Appalachian Power's filed forecasts are flat. Its witness reports 540 megawatts of data center load under contract across its Virginia territory and 24,881 megawatts in inquiry, and no filing says how the Berry Hill load would be served.

## PURPOSE, SCOPE, AND METHOD

This case study follows one county's two decisions about the same pair of uses, gas generation and data centers, from Balico's first application, heard in November 2024, through the Board of Supervisors' meeting of 18 August 2026, together with the utility record behind the site the county chose and what followed to the date on the publication page. It is built from primary records retrieved or read on or before 25 September 2026, the date of its last full source audit: Pittsylvania County's Planning Commission and Board of Supervisors packets and minutes, the county's zoning and noise ordinances, the Danville-Pittsylvania Regional Industrial Facility Authority's packets and minutes, Danville City Council and Utility Commission minutes, State Corporation Commission dockets, the Commission's electric service territory layer, and the Code of Virginia. County and city records come from their public meeting portals and the county's document center; Commission documents from its docket system. Each endnote gives the source's public identifier and page. Version 1.1 adds records read after that date, through the date on the publication page: the authority's and the city's minutes and packets from August to November 2026, the county's posted agendas and packets, the Commission's dockets, the session laws behind the business park statute, the state's permit tracking system, and the Corps of Engineers' public notices. Each addition carries its own date.

Minutes paraphrase what speakers said, and this study quotes the minutes as the minutes, never as the speaker's words. Meeting videos are located by time from their automatic captions; a spoken passage is quoted only after the author has listened to it, and passages he has not heard are paraphrased. Citizen speakers, lawyers and company witnesses are described by role, and so, in the text, are staff; elected and appointed officials are named where the record identifies them. A negative states the documents or search it rests on and, where it depends on a retrieval, the date. Claims resting on press reports carry an asterisk and are listed at the end of the endnotes.

Every quotation of five words or more was checked by script against the text layer of the document it cites, or for scanned pages against a transcription of the rendered page, and each residual mismatch was read against the page itself. The draft was then read adversarially from the positions of the refused applicant's counsel, the county attorney defending the 2026 ordinance, and Appalachian Power's regulatory counsel, and each objection was checked against the primary text.

# PART ONE: TWO APPLICATIONS AND ONE REFUSAL

Balico, LLC asked Pittsylvania County twice, and the county decided the merits of only the second, smaller application.

## The first application

On 7 November 2024 the Planning Commission's agenda carried Case R-24-031, a request by Balico, LLC to rezone forty-seven parcels totaling 2,233.38 acres in the Banister and Callands-Gretna election districts from R-1 and A-1 to M-2, Industrial District, Heavy Industry, "to allow for a Private Utility (Natural Gas Power Plant) and Data Centers."[1] The staff report described the project in one sentence: "If rezoned, the applicant is proposing to construct a 3500-megawatt natural gas power plant, that would be privately owned, to generate the electricity needed to construct a data center complex that would consist of approximately 84, two-story data centers."[2] The same report recorded that VDOT had determined a traffic impact analysis was required and that, to staff's knowledge, none had been completed; that preliminary conversations about water had been held with the towns of Chatham and Hurt; and that the site plans showed a forty-foot vegetative buffer and a seventy-five-foot setback from any exterior property line, "the minimum setback required by the Pittsylvania County Zoning Ordinance." Staff recommended denial for "the lack of proffers to adequately address potential adverse effects on adjacent property owners and the construction of needed infrastructure improvements, and the lack of a required TIA."[2]

The case did not reach a vote. The Director of Community Development reported that Balico "had petitioned to withdraw their application without penalty," and the Commission allowed the withdrawal on a motion by Janet Mease. The minutes record the result as "APPROVE WITHDRAWAL WITHOUT PENALTY," with seven ayes.[3]

Eighty-four buildings and more than two thousand acres belong to that first application, whose merits no body voted on. The 3,500 megawatts belongs to both.

## The second application

Balico refiled as Case R-25-001: fourteen parcels, 763.16 acres, all in the Banister District, from R-1 and A-1 to M-2, for the same stated purpose.[4] Staff carried the plant description over unchanged, "a 3500-megawatt natural gas power plant, that would be privately owned," but the campus shrank to "approximately twelve (12), two-story data centers."[4] The applicant's preliminary traffic analysis, which argued that the campus would generate fewer than the 5,000 daily trips at which state law requires a traffic impact analysis before rezoning, put it at "12 data center buildings" on "the proposed 746-acre development."[5]

Counsel's letter to the county described the plant at its smallest. It said that "the Applicant would acquire mobile gas turbines to provide up to 300 megawatts of power," that the site plans "have also been designed to allow for the installation of permanent turbine infrastructure should the Applicant choose to pursue such course of action," and that the turbines "would be regulated by the Virginia Department of Environmental Quality (DEQ), not the U.S. Environmental Protection Agency (EPA)," adding: "It should be noted that these turbines meet Best Available Control Technology (BACT) as defined by the EPA." The letter recorded a letter of intent "from EQT, owner of the Mountain Valley Pipeline, for the supply of a sufficient volume of natural gas to fuel the power plant," and it separated the two uses procedurally: the rezoning would provide "for private electric power generation and, ultimately, a series of data centers (should a subsequent request for a special use permit be approved)."[6] It also acknowledged the first application: "The Applicant previously withdrew, without penalty, an application with a larger scope; as indicated at the time, the Applicant has not abandoned its plans and now resubmits this application that includes a more modest footprint."[6]

The applicant's exhibits in the same packet describe the plant at three sizes. An emissions statement plans "up to 12 Mitsubishi FT8 aeroderivative gas turbines" as "part of the initial phase of development," "targeting a total power output between 300 and 350 MW." A combined-cycle option says "The first phase will deploy 1,600MW of Natural Gas Combined Cycle (NGCC) generation." An air quality analysis describes "This 3,500MW simple-cycle natural gas plant," with a stack height of 180 feet and "~7-8 units (assuming ~500MW per turbine)." The combined-cycle option adds that "Power generation will be entirely self-contained, with no interconnection to PJM or external grids."[7] At the Planning Commission hearing Balico's counsel described two phases: "the first would generate 300 megawatts of energy," through "aeroderivative mobile turbines," and "then ultimately they would be replaced by permanent turbines that can generate up to 3500 megawatts." Asked whether the 3,500 was in the proffers, he answered that "the production figure is not addressed in the proffers at this point," and explained that the proffered conditions were written for a power station of any size.[8]

That structure explains why the plant needed a rezoning and the data centers did not yet. Under the county's M-2 district, "electric power generation-private" is a permitted use; "data center" is admitted only by special use permit.[9] Special use permits in Pittsylvania are issued by the Board of Zoning Appeals, after referral to the Planning Commission and a public hearing.[10] Balico was asking for the zoning that would let it build the plant by right and go to the Board of Zoning Appeals later for the data centers.

Balico also told the Commission why it was not at Berry Hill. Its counsel recounted a presentation the county's economic development director had made to the county Industrial Development Authority the month before, in which "he talked about there being three locations in the county that are suitable for data centers": a site on Route 58 East, Berry Hill, and the site before the Commission. On counsel's account the director had said that "Data Centers do not meet the requirements of success that RIFA has established for the projects that it's going to approve to go out there." Counsel added a technical point of his own: "while there is gas available at Berry Hill it is not nearly what is available at this site."[8] The director's presentation itself has not been obtained.

## The Planning Commission, 7 January 2025

The Commission heard R-25-001 as its last public hearing on 7 January 2025, after allowing the applicant to withdraw one parcel from the case.[11] The minutes summarize the opposition collectively, naming water use, "noise, light, and air pollution," doubts about jobs, "the late submission of proffers," and the comprehensive plan, and then list thirty-one people who "signed up to speak and shared opposition to the rezoning."[11]

The motion was Colette Henderson's, seconded by Gary Oakes: "Motion to deny Case R-25-001." Seven ayes, no noes: Harker, Henderson, Brown, Mease, Oakes, Shelton, Webb.[11] The minutes give no reasons; the video does. Counsel asked, "if you're not favorably inclined tonight that you allow another month for additional information to be synthesized." Moving to deny, Henderson said "I feel there's been a lack of transparency," and, speaking she said only for herself, that on the proffers "we have not had adequate time to review." Another commissioner concluded that "at this point denying the request would probably be the best course of action"; a third said "the main point for me and why I will vote to deny is because of the comprehensive plan as written by the Pittsylvania County Board of Supervisors," adding that "spot zoning is a concern for me when it does not fit in a comprehensive plan."[8]

## What the applicant offered

By the time the case reached the Board, the proffers had grown. The statement in the Board's April 2025 packet, dated on its face 15 April 2025, revises one dated 18 March.[12] It limits the primary uses to private generation, private transformers, public utilities and data centers, defining private generation to include power "for sale to the public grid," and provides that "no other use in the M-2 District, whether permissible under the Zoning Ordinance or which requires a Special Use Permit, shall be allowable"; the owners would rezone the land back to A-1 or R-1 if no primary use began within five years. The applicant would "request a Special Use

Permit (subject to approval by the Board of Zoning Appeals) if required in the M-2 District" and meet "the County's performance standards for data centers in effect at the time of the rezoning." It sets principal structures 125 feet from the exterior lines, 75 at three named points; a sixty-foot perimeter buffer with berms "approximately fifteen feet in height," built before construction of either use; connection to public water at the applicant's expense; a fire station; security fencing; a joint emergency response plan for the generating plant; and a decommissioning bond for "the full amount of the estimated decommissioning cost without regard to the possibility of salvage value." No permanent turbine "shall operate on the Property until such time as it has been enclosed in a suitable structure that features insulation intended to mitigate noise."[12]

Its noise term reads: "Unless exempted under the Noise Ordinance, any Data Center or Power Station uses of the Property shall not produce sounds at a level that exceeds 52 dBA as measured at the property line." A credentialed sound test was to precede operation, testing was to repeat annually "for the life of the use," and a failed test gave the applicant forty-eight hours to cure before operations stopped.[12] The March statement had set 65 dBA for data centers, the figure in the county's own data center section.[12] Fifty-two is the county noise ordinance's nighttime limit for a residential receiver.[13] The opening clause leaves a question the proffer does not answer: the same ordinance exempts "Commercial, industrial, business or agricultural activities lawfully conducted on or permitted upon land zoned for said purposes," and the proffer does not say whether that exemption would have reached an industrial use on the rezoned land.[13]

Staff's summary for the April meeting records that "The applicant has submitted additional proffers, but these are not executed and Staff does not feel that the latest proffers are sufficient in certain areas, specifically relating to traffic, to mitigate adverse effects."[4] Counsel told the Board that evening that the proffers "include agreements to reduce the decibel level across the entire project. So that is data centers and power plant to 52 dB." He added: "There have been no changes to that document since it was shared with staff on March 25th," and "but for the withdrawal request that's before you this evening, you would have signed copies of those proffers before you tonight."[14]

## The Board of Supervisors, 15 April 2025

The Board had first scheduled the case for 18 February 2025.[4] Its March minutes record a speaker for Balico asking to postpone the hearing to April and an attorney for opponents urging the Board "to make April 15th the final date."[15] On 15 April the Board took the case at its business meeting in the Chatham High School auditorium. Counsel for Balico "requested that the Board allow the withdrawal of

the application without penalty."[16] The Board refused to let the applicant leave. "Motion to deny the request for withdrawal of the rezoning application made by Balico, LLC" carried 5-2, ayes Tucker, Hite, Bowman, Dalton, Ingram, nays Dudley and Whittle.[16] The minutes summarize thirty-four speakers at the public hearing, nearly all in opposition.[16]

Staff had recommended denial in writing, "Based on the lack of finalized proffers adequately addressing Staff concerns relating to potential adverse effects on adjacent property owners," and listed among its continuing concerns "buffering, setbacks, noise, light pollution, construction traffic, and decommissioning."[4] The Board's motion, moved by Chairman Tucker and seconded by Hite, is the one statement of reasons it adopted:

> Motion to deny Balico, LLC's rezoning application based upon the proposed layout of the project, the height and profile of the structures of the proposed project, the expected emissions, the limited benefit of jobs for the County, and the lack of clarity in the proffers and plans presented.[17]

It carried 6-1, ayes Tucker, Hite, Bowman, Dalton, Ingram, Whittle, nay Dudley.[17] Whittle, who had voted to let Balico withdraw, voted to deny on the merits. Dudley voted with the applicant both times. Noise, which runs through the citizen testimony and is on staff's list of concerns, is not among the five grounds.

The chairman's reasons were wider than the motion's. Before moving to deny, Tucker spoke of "trying to get the correct proper conditions trying to extract information," of the developer's "lack of experience," and of the absence of community support: "we don't have community buy in." He added: "I've shared that I'm not opposed to data centers."[14] Of those reasons only the first has a counterpart among the motion's five, in "the lack of clarity in the proffers and plans." Counsel's case for withdrawal was that Balico had gone "back to the drawing board": "The decision was made to go back to the drawing board and that was communicated to the county the day that it was made, which was last Monday, April 7th." Balico had since "begun discussions with Hillwood about forming a joint venture on this project," which counsel described as "an established real estate development firm based in Dallas," and asked "for withdrawal without penalty so that if discussions with Hillwood are finalized, we can revisit this project within the next 12 months."[14] The minutes carry the name only from a citizen speaker in support, who spoke of "being in contact with potential end users and the Hillwood Group, which he claimed supports the project."[16]

That is the refusal: a 763-acre rezoning of A-1 and R-1 land, vacant or farmed and adjoining some M-2 land, for a plant that would start at 300 megawatts and could

reach 3,500, with data centers to follow by special use permit.[4] The Board denied it on layout, height, emissions, jobs, and the lack of clarity in the proffers and plans.

# PART TWO: THE DISTRICT THE COUNTY WROTE

## What the Board applied for

Nine months later the applicant before the Board was the Board.

It had started the process itself. At a special meeting at noon on 30 December 2025 the Board adopted, 6-0 with one supervisor absent, Resolution 2025-12-02, initiating a text amendment the minutes describe as "the first procedural step only," and Resolution 2025-12-03, initiating the map amendment for a district "designed specifically for the Berry Hill Mega Site, providing additional flexibility for heavy industrial uses, including energy-intensive industry and potential power generation, while remaining limited to those parcels and adjacent contiguous properties."[18] Neither description mentions data centers or the county's data center section. The Board had no applicant; the authority had prospects it would not name. Its March 2026 minutes attribute most of the rise in its fiscal 2025 cash, to about $4.2 million, to "Due Diligence payments RIFA received with Project Orange," and record an easement on the megasite relocated so that it would not have "any negative impacts on potential active inquiries."[19] The minutes do not say what Project Orange was.

The public hearing notice for 15 January 2026 carried two items. The first was a text amendment "to add the new Zoning District as Division 14 in Article III – District Regulations," using "reserved Secs. 35-533 through 35-544," to create "a separate, specialized Zoning District for the Southern Virginia Mega Site." The second was Case R-26-008, "Requested by the Pittsylvania County Board of Supervisors to rezone multiple properties totaling 3,499.99 acres in the Tunstall and Westover Election Districts," seven tax-map parcels, "from M-2, Industrial District-Heavy Industry, to a new Zoning District, M-SVMS, to allow the properties to be used for heavy industry and power generation. Once the property is rezoned to M-SVMS, all uses listed under proposed Section 35-534 are permitted."[20]

The land was already heavy industrial. The staff summary said what the new district would do to it: M-SVMS "includes all by right uses available in the M-2 Heavy Industry zoning district and expands the list of permitted uses to include among others, data centers and power stations," and "also includes regulations, requirements, and performance standards for the M-SVMS district."[21] M-2 already permitted "electric power generation-private," "public utilities, including substations, power generation, water and sewer plants for treatment," and "steam generation" by right.[9] The data center moved from special use permit in M-2 to permitted use in M-SVMS.[9][22] Generation moved less, but it moved: the district adds a by-right "Power Station," defined to include "transmission lines and related towers, gas or oil transmission lines, pumping stations, metering stations, compressors," while "electric transmission-private," "electric towers-private" and

"oil, gas transmission facility" stay on its own special use list, as they are in M-2. The ordinance does not say which governs.[22][9]

## The hearing

The Planning Commission and the Board sat together at 6:00 PM on Thursday, 15 January 2026, in the Board meeting room at 39 Bank Street, Chatham. All seven supervisors were present: Tucker, Ingram, Bowman, Brown, Dalton, Dudley, Whittle. Six commissioners were present.[23]

The text amendment was heard first. Ten people spoke: eight asked for delay or raised objections, one supported the amendment, and one asked for more dialogue between officials and residents. The minutes paraphrase them: a speaker for the Dan River Basin Association asking for "additional time for public review and engagement"; the Coalition for the Protection of Pittsylvania County's speaker on "granting 'by-right' uses such as data centers and power generation" and the oversight that would go with it; residents on transparency, water, and the speed of the process; and a supporter "highlighting the importance of acting quickly to seize economic development opportunities" and stating "that regulatory safeguards already exist."[23] Both bodies approved "the Pittsylvania County Code Chapter 35, Zoning Ordinance Text Amendments and Zoning Map Amendments, as presented": the Commission on a motion by Shelton, seconded by Mease; the Board 7-0 on a motion by Ingram, seconded by Bowman.[23]

The rezoning was heard second. Sixteen people spoke and one emailed comment was read into the record. By the minutes' paraphrase nine spoke for the rezoning, among them a representative of the county's Industrial Development Authority presenting its resolution of support, and seven against it or for delay, one of whom "recommended requiring special use permits for data centers and power generation facilities to ensure continued Board review and community protections."[23] Two supporters, in the same paraphrase, told the Board that the new zoning "would provide both modern industrial uses and additional protections compared to existing M-2 zoning" and "provides clearer standards than current zoning."[23] The first of them is recorded under the same name in the Board's March 2025 minutes asking, on Balico's behalf, for the postponement of Balico's hearing.[15] The Commission recommended approval on a motion by Farris, seconded by Mease. The Board approved 7-0 on a motion by Ingram, seconded by Dudley, "to approve the rezoning of 3,500 acres ... to allow the property to be used for heavy industry and power generation."[23] No floor amendment to either item is recorded.[23]

The minutes record no supervisor's remarks on either item; the video does. The county's economic development director presented the rezoning and introduced it, without naming Balico, as the Board's answer to that case: "The county board

actively listened to the citizen comments and objections regarding a private developer's recent attempt to locate a large project outside of a designated industrial park. After that situation, the board has directed staff to focus development efforts to existing identified industrial parks and properties." Then: "Currently, the property's current M2 heavy industrial district permits utility and private merchant power plants by right. The rezoning does not impact or change this item." The projects staff was working on, he said, were campus developments, more and more of them built around artificial intelligence, among them supercomputer campuses and cloud data centers, and the authority pursued only projects bringing thousands of jobs on site. As of that evening, he said, "there are no executed local performance agreements or property purchase and sale contracts in place for any projects at the megasite property other than Microporous. So, the planning commission and the board should consider this to be a speculative rezoning. There are numerous interested companies considering the site, but there is nothing publicly available to discuss at this time."[24] Two supporters described the district's noise terms as protection: "It requires that both uses comply with the county noise ordinance." "It adds a restrictive noise standard."[24]

Before the vote, Supervisor Bowman put the developable land within the 3,500 acres at about 1,700 acres, and staff at closer to 1,800 to 1,900. Supervisor Dalton recalled that "we heard it loud and clear that anything we wanted to do, it needed to be into an industrial park," said the site "should already been zoned this," and that with the rezoning "We'll have everything set and ready to go." Chairman Tucker said "we cannot tax our way into prosperity. That's a non-starter." Then: "We are not setting a precedence here," by which he meant that the Board stayed free to make later zoning decisions as opportunities came. And: "Most of the board has signed NDA non-disclosures." "When you start talking about transparency, we have to be somewhat reserved in the information that we can share." He closed by asking residents for some trust in the Board.[24] He did not say with whom the agreements were signed or when, and no document in the record says. The Board's minutes record closed sessions on "Unannounced Prospective Businesses/Industries," the exemption Virginia law provides for them, at its work sessions of 16 December 2025 and 20 January 2026.[25]

The votes were unanimous on both bodies. Six of the seven supervisors had sat on the April 2025 vote. Timothy Dudley, the one who had voted against denying Balico, seconded the rezoning. The seventh, Justin Brown, had sat for the Dan River District on the Planning Commission that recommended denial of Balico's rezoning in January 2025, and had voted with it; elected the district's supervisor, he filled its Commission seat, then vacant, at the Board's reorganizational meeting on 6 January 2026.[11][23][26]

## What the district does

The district was drafted for one site, and it says so: it "is to be a district that is unique to those parcels which comprise the Southern Virginia Mega Site," as shown on an exhibit "dated December 2025."[22] The ordinance the Board adopted is the text in its own hearing packet, and the codified Division 14 matches it.[22][27] Seven provisions carry the weight.

*Eligibility.* Section 35-537 opens under the heading "Eligibility": "No property will be eligible for rezoning to M-SVMS unless it is contiguous with other land that is zoned M-SVMS." The district cannot be applied anywhere but at the megasite and its edges.[22]

*The section switched off.* The same subsection continues: "Section 35-142 shall not apply to the M-SVMS District."[22] The heading is about eligibility; the sentence's object is the district, and Section 35-142 contains no eligibility rule it could be aimed at. The codified text keeps the sentence where it was.[27] Section 35-142 of the county's zoning ordinance is titled DATA CENTER and carries one amendment mark, 21 May 2024. It requires that a data center using water-based cooling connect to a public water system and "not establish commercial wells"; that "No data center shall be built until evidence has been given as part of the application that the owner has been approved by the utility company"; that "During operation, a data center shall not produce a noise level that exceeds 65 dBA as measured at the property line"; and that operation not commence until a sound test by a credentialed acoustician confirms compliance, with the test repeated annually "for the life of the use" and a forty-eight-hour cure period before operations are suspended. It also requires mechanical equipment to sit "within an enclosed structure screened as not to be visible from any adjacent street, use, or building," limits generator testing to weekdays from 8:00 a.m. to 5:00 p.m., sets facade standards, and sets ground-mounted equipment back seventy-five feet from any "zoning district permitting residential dwellings."[28] In M-2, where a data center was a special use, § 35-111 let the body reviewing a special use "vary or waive any provision" of the supplementary regulations, § 35-142 among them.[10] The 2024 standard was the default a data center applicant had to argue down before the Board of Zoning Appeals at a public hearing. Less than two years after its last amendment, the Board wrote a district in which the section does not apply.

*What replaces it.* "All standards applicable to M-2 shall apply to uses in M-SVMS, except that (i) Data Center uses in M-SVMS shall only be governed by the standards for Data Centers set forth herein, and (ii) Power Station uses in M-SVMS shall only be governed by the standards for Power Stations set forth herein."[22] The district's data center standards require connection to municipal water "To the extent the

applicable municipal water system can supply the demand"; cap height at 150 feet, rooftop equipment excluded; require screening of mechanical equipment "from major arterials/interstates and from abutting residentially zoned properties," water storage tanks and power stations excepted; require facade articulation where visible from major roads; set guard houses and accessory structures 250 feet and ground-mounted equipment 100 feet from residentially zoned neighbors; require a 100-foot buffer yard on a six-foot berm against major roads and non-M-SVMS land, which the Zoning Administrator may replace with existing topography and vegetation; require a safety response plan acceptable to the Director of Public Safety before a building permit; limit generator testing to weekdays from 9:00 a.m. to 5:00 p.m. with exceptions for regulatory compliance; and regulate noise and fencing.[22] The power station standards set a height of 220 feet "including combustion turbine stacks," rising "one foot for each additional foot of minimum setback from the property line"; a 500-foot setback from residentially zoned neighbors; the same buffer yard, safety plan and noise clause; maintenance; and mandatory fencing.[22]

The three standards side by side:

| | § 35-142 (2024), data centers | M-SVMS (2026) | Balico's proffers (April 2025) |
|---|---|---|---|
| Noise limit | 65 dBA at the property line | Noise ordinance's industrial limit, 77 dBA | 52 dBA at the property line, both uses, subject to the ordinance's exemptions |
| Where the limit applies | Every property line | Only beside residentially zoned property | Every property line |
| Sound testing | Before operation and yearly; 48-hour cure | None | Before operation and yearly; 48-hour cure |
| Water | Public water for water-based cooling; no commercial wells | Municipal water to the extent the system can supply the demand | Public water, at the applicant's expense |
| Utility approval before building | Required | None | Required, through § 35-142 |
| Ground-mounted equipment | 75 feet from districts permitting dwellings; screened from any adjacent street, use or building | 100 feet from residentially zoned land; screened from major roads and residentially zoned neighbors | § 35-142 for data centers; principal structures 125 feet from exterior lines |
| Buffer | None | 100 feet on a six-foot berm against major roads and other land | 60 feet, berms about 15 feet high, built first |
| Emergency planning | None | Safety response plan before a building permit | Fire station; joint emergency plan for generation |
| Fencing | None | Regulated; mandatory for power stations | Six-foot perimeter fencing |
| Height | M-2: 80 feet, 120 in a recognized industrial park | Data centers 150 feet; power stations 220 feet with stacks, more with added setback | M-2 limits |
| Power plant distance from homes | Not covered (M-2: 50 feet) | 500 feet from residentially zoned land | 125 feet from exterior lines |

Sources for the table: § 35-142 and M-2[28][10]; M-SVMS[22]; the proffers[12].

Against § 35-142, the substitute drops the utility approval and the sound testing, loosens water, noise and height, and adds a buffer yard, a safety plan and fencing.

Against the proffers the county refused, it is weaker on noise and testing, has no turbine enclosure or decommissioning term, and is stronger on the power plant's distance from homes, 500 feet against 125.

*Noise.* The data center clause reads: "Data Centers located adjacent to residentially zoned properties shall not be operated or participate in the operation of any stationary noise source or any source of sound or noise which generates a sound pressure level when measured at the property line that exceeds the limits set forth in the Pittsylvania County Noise Ordinance, Section 41-6, Industrial Land Use Category." The power station clause says the same in other words.[22] Two things changed. The 2024 standard applied to every data center at every property line; the M-SVMS clauses apply only where the neighbor is "residentially zoned," a term the district does not define. And the number moved. The Noise Control Ordinance, adopted 30 June 1993, sets limits by the "RECEIVING LAND USE CATEGORY": 57 dBA by day and 52 by night for residential and for agricultural land, and 77 in both columns for industrial land, "Includes M-1 and M-2." Where a source can be measured in more than one zoning classification, "the limits of the most restrictive classification shall apply."[13] The district assigns the industrial receiver's limit to a facility whose neighbor is residential; had it borrowed the ordinance's receiving-land logic rather than one of its categories, that neighbor's limit would have been 52 at night. Without the district's cross-reference, the ordinance's own exemption for industrial activity on land zoned for it would leave neither number reaching the use.[13]

The narrower trigger matters on the ground. The one county staff summary that describes land beside the district, for a 5.67-acre parcel before the Board for rezoning in April 2026, describes it as "Mostly surrounded by A-1, Agricultural District and M-SVMS, Southern Virginia Mega Site properties."[29] Agricultural land was inside § 35-142's equipment setback and inside its noise limit at every property line; whether it counts as "residentially zoned" under M-SVMS, the district does not say.

*Site plans.* "In M-SVMS, the Zoning Administrator shall have sole authority to administratively review and issue final approval of Site Development Plans. Site Development Plans shall not be subject to review by any other authority." The Administrator's review is limited to federal and state code compliance, the ordinance's site plan requirements, and conformity with M-SVMS.[22] In M-2, § 35-742 sends site plans for industrial development to the Planning Commission unless § 35-752's exemptions for small projects apply.[10]

*Permitted uses.* Section 35-534 lists, among the uses permitted by right, "Data Center," "Electric power generation-private," "Electric transformers-private,"

"Power Station," "Public utilities, including substations, power generation, water and sewer plants for treatment," and "Steam generation." Section 35-535 requires a special use permit for "electric transmission-private" and "electric towers-private."[22] The definitions fold each use into the other: a Data Center "may also include air handlers, power generators, water cooling and storage facilities"; a Power Station's purpose is the "generation, production, storage, transmission, distribution and/or offsetting of electric power for offsite and/or onsite consumption," and it may include facilities "that support development of and operations at a Power Station and/or a Data Center."[22]

*Later rezonings nearby.* "The rezoning of any property outside of the M-SVMS District subsequent to the adoption of the M-SVMS District shall not affect the previously applicable M-SVMS provisions for setbacks, screening, buffers, noise, and any other requirements under the M-SVMS District and the provisions of the M-SVMS District related to adjacent non-M-SVMS zoned properties shall not be applicable."[22] The last clause is ambiguous: read one way, a neighbor who later rezones to residential does not bring the residential-adjacency clauses into force against the site.

## What the county did not do

No document states why the district switches off § 35-142. The district's purpose section, the December resolutions and the staff summary do not mention the section; the minutes record no one raising it, and the automatic captions of the whole hearing contain no reference to it.[22][18][21][23][24] The county held no case with an applicant other than itself and attached no conditions. What it left at the megasite is a district in which a data center meets no standard at a public hearing: the use is by right, and the site plan is the Administrator's alone.

The refusal of April 2025 and the district of January 2026 are different decisions. The first was a rezoning of A-1 and R-1 land to M-2 for a private plant, with data centers to follow by special use permit under the county's 2024 standard. The second made data centers by right, and added a broadly defined power station use, on land the county co-owns through its authority and had already zoned for heavy industry. What they share is the pairing of gas generation with data centers, and the Board that decided both.

## PART THREE: THE CONTRACT

Fifty-three days after the county's economic development director told the joint hearing that, as of that evening, there were "no executed local performance agreements or property purchase and sale contracts in place for any projects at the megasite property other than Microporous," the county's regional industrial authority approved the sale. He had said in the same breath that numerous companies were interested and nothing could yet be made public.[24] The record does not show when negotiations with the buyer began. The authority approved the contract on returning from a closed session held under the same exemption for unannounced prospects.[25]

### The authority

The Southern Virginia Megasite at Berry Hill is owned by the Danville-Pittsylvania Regional Industrial Facility Authority, a political subdivision the city and the county created together. Its board in 2026 had four voting members: William V. Ingram, its chairman, who is also the Tunstall District supervisor and who moved the R-26-008 rezoning; Robert M. Tucker, Jr., the county Board's chairman; and Danville council members Sherman Saunders, its vice chairman, and Lee Vogler. Each government also had an alternate recorded present at every authority meeting in this part: council member Gary P. Miller for the city and supervisor Darrell W. Dalton for the county.[30] Every authority vote this part reports was 4-0 with the four voting members' names.

### 9 March 2026: the sale

Resolution 2026-03-09-7C authorized "the sale of a portion of Park Tract HK and the option of Lots AB, CDE, FG, J and 10 and Lots known as 'The Harrison Place' & 'Oak Hill'" to SAC III Acquisition Co., LLC, a Delaware limited liability company that the county's later records tie to STACK Infrastructure, "where the purchase price per acre is equal to Two Hundred Thirty Eight Thousand and 00/100 Dollars ($238,000.00), and the Phase 1 Closing (as defined in the PSA) is conditioned upon the execution and delivery of the LPA, the form of which is to be approved by the Authority by separate resolution."[31][32] The form of the purchase and sale agreement was Exhibit A to the resolution, "subject to approval and modification by the Authority's legal counsel as to legal form."[31] The form describes the land by lot and plat and states no total acreage; the 2,990-acre figure appears in the performance agreement.[33][34]

The form of contract puts a condition on the buyer's side. Section 4.4.3, "Power Condition," provides that "A condition precedent to Buyer's obligation to purchase the Phase 1 Property shall be that the Power Condition has been achieved," and

defines that condition as the buyer's receipt of "an executed 'Letter of Agreement' or equivalent document from AEP and/or Appalachian Power (the 'Power Utility') in form and substance satisfactory to Buyer (in its sole and absolute discretion) confirming that a minimum load capacity of two hundred ninety-nine (299) megawatts of load for the Project (as defined below) will be provided by December 31, 2028." Nothing "shall be deemed to restrict Buyer from pursuing a load capacity in excess of" that figure; the seller "agrees to reasonably cooperate"; and if the condition "is not satisfied or waived in writing by Buyer in its sole and absolute discretion, Buyer may terminate this Agreement at any time prior to the Phase 1 Closing Date."[33] The next subsection adds a second condition of the same shape: a binding lease, with "a tenant approved by Buyer in its sole and absolute discretion," "demising all critical data center capacity of the portion of the Project proposed to be developed on the Phase 1 Property."[33]

The 299 megawatts has been reported as a term of the performance agreement.* It is not. It is a condition in the land contract, running to the buyer, satisfiable by a letter from the utility, and waivable by the buyer alone. It binds Appalachian Power to nothing, and no Appalachian Power filing on the Commission's docket mentions it, on a full-text search of 10 August 2026; caption searches of 25 September and 10 November 2026 show no case named for the park or its buyer.[35]

The second clause is the definition of what is being built. Section 8.6, "Cooperation," after committing the seller to help the buyer "obtain all entitlement, permit, zoning, parcel subdivision and replatting, and other development approvals" and to allow the buyer "to post notices of public hearings at the Property," provides:

> Other than in cooperation and coordination with Buyer in connection with the Project, Seller shall not apply for or consent to any change or modification that would impact in any respect the zoning, development or use of the applicable Property without Buyer's prior written consent in Buyer's sole and absolute discretion. As used herein "Project" means the development on the Property of a no less than 3,300 megawatt critical capacity data center, including, without limitation, multi-story buildings, back-up generators, multiple onsite substation, onsite power generation (including, without limitation, through the use of natural gas), water and wastewater infrastructure, secure access perimeter, and civil and stormwater management improvements, each as required by such applicable Governmental Authority.[36]

The seller is the authority the county and the city own. From the date of that contract, the authority as landowner could not apply for or consent to a zoning change on the land without the buyer's permission; the clause binds the authority as seller and says nothing of the Board's power to zone.

## 18 May 2026: the performance agreement authorized

Resolution 2026-05-18-4A authorized negotiation, execution and delivery of the local performance agreement "in connection with" the purchase agreement "dated March 9, 2026," under which the company "would agree" to capital investment at the megasite "of at least $100 Billion over a 30-Year Performance Period" and "at least 2,500" full-time-equivalent jobs "over a 20 year Performance Period, with a FTE annual compensation of at least $80,500.00, subject to a Cost of Living Adjustment."[37] The county's economic development director presented the agreement. The minutes record him, in their paraphrase, saying that the project "was receiving absolutely no discretionary, monetary incentives from Danville Pittsylvania County," that its Enterprise Zone job payments and fee waivers were required, "a nondiscretionary incentive," that "STACK infrastructure will enter into an electric service agreement with Appalachian Power Company," and that "Any and all costs associated with providing power to the campus will be paid by STACK; that will be in their contract with Appalachian Power."[37]

The next evening the county Board of Supervisors added the agreement to its own agenda as a new business item and voted 7-0, on a motion by Ingram seconded by Whittle, "to authorize and approve the negotiation, execution, and delivery of a Local Performance Agreement" on the same terms.[38] The Danville City Council, meeting the same evening, heard its authority members report the approval and adopted Ordinance 2026-05.06, raising the city's data center tax rate from $0.25 to $1.20 per $100 of assessed value effective 1 July 2026, on a 9-0 vote.[39] The city manager told council, in the minutes' words, that the community could expect local revenue of about $2.4 billion over twenty years, "which will be evenly split between the City and the County because of the partnership with Pittsylvania County," and that the company "has until June 9, 2027 to purchase the first phase of the property and that several important conditions must be met for that sale to occur."[39]

## 14 June 2026: the agreement executed

The Local Performance Agreement is dated "as of the 14th day of June 2026." Its parties are four: the authority, the County of Pittsylvania, the City of Danville, and SAC III Acquisition Co., LLC. The county's signature block names the Board's chairman.[34] The county's own July staff summary names three parties, omitting the city.[40] The executed document, with a DocuSign envelope identifier on every page, is Exhibit A to the authority's ratifying resolution of 13 July and sits in that meeting's public agenda packet.[34]

*The recitals.* The company "has acquired or intends to acquire ... all or a portion of the approximately 2,990 acres of land currently or formerly owned by RIFA"; the project "may include one or more phases" and is defined to include "one or more

data center(s)" with related improvements "including, without limitation, multi-story buildings, back-up generators, multiple onsite substations, onsite power generation, including, without limitation, through the use of natural gas"; "provided that the Project receives the economic development incentives set forth herein and is able to proceed with all phases," it "is currently estimated to" bring investment "in the aggregate amount of as much as approximately One Hundred Billion Dollars ($100,000,000,000.00) over a thirty (30) year performance period" and "as much as approximately Two Thousand Five Hundred (2,500) new jobs" over twenty years. For the first phase alone the estimate is "approximately Thirty Four Billion Dollars" and "approximately one thousand (1,000) full-time jobs" at "at least Eighty Thousand Five Hundred Dollars ($80,500.00), before benefits," with a cost-of-living adjustment.[34] The purchase agreement, the recitals say, "set forth in the PSA (at Section 4.4.5 and Exhibit H) certain anticipated terms with respect to this Agreement," and the agreement is "a condition precedent to any obligation on SAC III, as the Buyer, to purchase the Phase I Property."[34]

*The tax rate.* The county "covenants and agrees" that by 31 December 2026 "it shall make diligent efforts to duly adopt, enact, and thereafter maintain" a separate classification for data center computer equipment "at a rate of One Dollar and sixty-two cents ($1.62) per One Hundred Dollars ($100.00) of assessed value," valued on the county's current depreciation schedules attached as an exhibit. If the county's rate ever exceeds that, or its depreciation schedules change to the project's cost, or the county "is unable or elects not to adopt or maintain" the rate, then the authority "shall provide to the Company an automatic, non-discretionary benefit (the 'TPP Benefit') in an amount equal to one hundred percent (100%) of the excess TPP taxes collected by the County over the amount that would have been collected had the Target Rate and the applicable Depreciation Schedule applied." The agreement adds: "The TPP Benefit shall not constitute a tax rebate." It calls the $1.62 rate itself the "TPP Tax Incentive," and its worked example sets it against "the non-incentivized rate" of 2.70 percent.[41][42] Any new tax or fee "applicable only to the Project or Land" is offset the same way, "subject to appropriations."[43] The Board adopted the $1.62 rate on 18 August 2026 (Part Seven).

*The minimum.* From the first tax year ending seven years after the effective date, the company's adjusted annual tax payments must "equal or exceed Sixteen Million Two Hundred Fifty Thousand Dollars ($16,250,000.00) for Phase 1," rising by $16,250 for each additional gross acre acquired in later phases. If they do not, the company "may, at its sole discretion," make up the difference in cash; if it does not, the tax incentive for that phase is "reduced prospectively and proportionately" by the ratio of investment achieved to investment targeted.[42] The performance targets are per gross acre: $7 million of capital investment per acre by years seven

and thirteen, $16 million by years twenty and twenty-five, $22 million by year thirty, and 0.53 jobs per gross acre throughout.[44] A job shortfall is priced at $5,000 per job per measurement period, payable to the authority.[45]

*Permitting.* "The Government Parties agree to process on an expedited basis, consistent with Applicable Law, all applications for permits, licenses, and other governmental authorizations required for the lawful commencement, completion and operation of the Facility," to designate a liaison, and to prepare a permit timeline; they "estimate that the time period required to review and comment on any completed application is typically ten (10) business days."[43]

*What is not in it.* The agreement contains no megawatt figure and no reference to Appalachian Power.[46] Onsite gas generation is in its definition of the project, in the same words as the land contract's; the size of the project is not. The megawatts live in the land contract.

## 13 July 2026: ratified, and a gas line

The authority ratified the executed agreement by Resolution 2026-07-13-6A. Its counsel told the board, in the minutes' account, that the purchase agreement "had been signed" and the performance agreement with it, that ratification "was not required," and that the resolution was "to officially say that what was signed and made public was in fact what the RIFA board had intended to approve."[47] The vote was 4-0.

At the same meeting the authority authorized a performance agreement for a $6,000,000 Virginia Business Ready Sites Program grant from the Virginia Economic Development Partnership "for the purpose of extending natural gas infrastructure in the Authority's Southern Virginia Megasite at Berry Hill," under which the city "would cause the construction of such work," the authority would act as fiscal agent, and the infrastructure would ultimately be transferred to the city.[48] The minutes record counsel describing a line "to extend the gas line into the Megasite to serve all tenants, but primarily at the request of Microporous," and the city's utilities director describing the city as "the middleman," receiving gas from the Transco pipeline and delivering it through Southwest Virginia Gas "to whichever Berry Hill prospect needed it."[47] The executive summary for the resolution also contemplated "amendments or consents under that certain Agreement For Cost Sharing and Revenue Sharing between the City of Danville, Virginia, and Pittsylvania County, Virginia, dated October 2, 2001, as amended," under which, in the minutes' paraphrase of counsel, "utilities were separated, not shared."[47][48] The resolution quotes one section of that agreement: "each locality will be responsible for the cost of utility installation, separate from this Agreement, for industrial facilities within

its service jurisdiction in accordance with its established policies and procedures."[48]

### What the contract shows

The figures the press has carried, $100 billion, 2,500 jobs and $80,500, are in the executed agreement as estimates of "as much as approximately."[34] The 3,300 megawatts of critical capacity with onsite natural gas generation is in the land contract the authority approved on 9 March, in its definition of the project: the use the county's zoning had been rewritten to permit.[36]

# PART FOUR: THE PARK THE UTILITY BUILT

The land the county rezoned in January 2026 had been wired for load since 2022: its loop and substation built by a regulated utility and recovered through rates, under a 2019 pilot statute that deemed the cost reasonable and prudent. A 2023 amendment added that the need for such wiring is satisfied once the state's economic development agency approves the park.

## 2016: the park changes utilities

The Southern Virginia Megasite sits inside the City of Danville's electric service territory. In 2016 Appalachian Power and the city asked the State Corporation Commission to move the park out of it. The Commission's order of 8 April 2016 records the reason: "The Park is located within an area served by Danville; however, Danville states that it does not have the capacity available to serve the Park's projected load. APCo is willing to provide service by their existing transmission line located in the Park." The Commission found the adjustment "in the public interest" and issued Certificate E-X34 to Appalachian Power "as delineated on Map X34."[49] The order gives no projected load figure. The city's own request, a letter of 4 February 2016 signed by its interim city manager, Ken Larking, put the reason in fuller words: the city "does not have the necessary capacity available to serve the projected load of the industrial park while APCo does have the capacity and is willing to provide service by their current transmission line that is located in the park. APCo is also willing to invest in additional upgrades and transmission lines once the park reaches higher electric loads." Appalachian Power's letter of 14 March 2016 accepted the change and said "no customers will be affected," and the city council's resolution of December 2015 recites that Appalachian Power had asked the city to notify the Commission and that the company "currently has infrastructure capable of serving this property with the electric loads forecasted."[89] The city's letter describes the park as twelve tracts of "approximately 3,500 acres"; the January 2026 rezoning covered seven tax parcels totaling 3,499.99 acres. Only one tax-map number appears in both lists, so the records read do not show whether the boundaries are the same.[89][20]

Ten years later the county's economic development director told the authority's board, in the minutes' paraphrase, that "The Megasite was accepted into ApCo's service territory in the mid-2000's" and that "The site's surrounding properties were all still in the Danville Utility service territory and this project cannot have any impact on their respective rates, positive or negative."[37] The date in the minutes is wrong by a decade. The geography is what the Commission's own service territory layer shows, an Appalachian Power island inside Danville's territory.[50]

## 2020 to 2022: the loop and the substation

Berry Hill was one of three Virginia parks in the business park pilot program the General Assembly created in 2019, described below. Each got a looped 138 kV tap of under seven miles and a 138-34 kV, 30 MVA substation with room for a second transformer: Commonwealth Crossing in Henry County, whose project cost $18.5 million; Wildwood Commerce Park in Carroll County, estimated at $28.3 million; and Berry Hill.[51][52] Appalachian Power's 2022 rate clause filing describes the Berry Hill build: a tap of the existing Axton to Danville No. 2 138 kV line, a new five-mile looped extension to the company's site in the park, and a 138-34 kV, 30 MVA substation with a three-breaker ring bus, "with future provision to add a second 30 MVA transformer or 138kV line extension if customer loads necessitate it."[51]

The company "acquired the substation property in June 2020"; construction "began in 2021 and is planned to be completed by October 2022"; "The total cost for the project is estimated to be $21.2 million," nearly all of it capital.[51] Of the three designs, only Berry Hill's includes a ring bus and a provision for a 138 kV line extension.[51][52] Not all the park's wiring went through rates: the authority paid AEP $4.5 million to relocate a 69 kV line in the park and was refunded $684,845.[19] The next year's filing confirmed the result: "The Berry Hill project, which established a new 138-34kV, 30 MVA substation within the confines of the Berry Hill Industrial Park, was placed in service Q4 2022 and is available to serve new loads that are established in the park."[52]

The Commission approved the rate clauses. Its 2022 order recites the company's request for "a forecast Virginia jurisdictional revenue requirement of $3.2 million associated with a pilot program established pursuant to the Code § 56-585.1:10 specific to the Berry Hill and Commonwealth Crossing Industrial Parks," and its 2023 order, when the program included Wildwood, "a forecasted Virginia jurisdictional revenue requirement of $2.2 million associated with the Business Park Pilot Program."[53] Both cases were noticed, and customers filed comments. In 2022 Consumer Counsel, noting the burden of the whole transmission rate increase, of which the pilot was a small part, told the Commission it was "unable to challenge the Company's request under Virginia statutory law."[53] The 2023 order also settled who pays. Customers who had left for competitive supply before 1 February 2019 are exempt from the transmission clause "and by extension also exempt from the Pilot Program costs"; customers who left after that date are not, and "the Commission finds those customers are not exempt from the T-RAC, including the Pilot Program costs."[53]

The Commission's proceedings on Berry Hill's wires have been annual rate clause cases. In the two whose orders this study read, 2022 and 2023, the question was

how much and from whom, never whether; the company's testimony in its 2024 and 2025 cases reports the costs still recovered through the same clause.[91] The statute makes that so for every park in the program.

## The statute

Section 56-585.1:10 of the Code of Virginia directs the Virginia Economic Development Partnership to "conduct a program with each Phase I and Phase II Utility" allowing the utility "to complete the construction phase of a transmission line and any associated substation and other associated facilities to provide electric transmission and distribution infrastructure to a business park" where a locality or industrial development authority has already invested "in the siting, environmental review, pre-engineering design, and transmission right-of-way acquisition ... prior to the public announcement of a prospective occupant of the business park."[54] The utility recovers its costs through a rate adjustment clause: "The costs incurred by a Phase I or Phase II Utility after January 1, 2019, to construct, operate, and maintain the business park electric infrastructure in order to provide service to a business park participating in the program outlined by this section shall be recovered by the utility pursuant to a rate adjustment clause approved by the Commission in subdivision A 4 of § 56-585.1." Each project must be under ten miles; the Partnership certifies up to two petitions a year per utility; and the utility builds either under a Commission certificate, decided within six months, or with local approval under § 15.2-2232 and the zoning ordinance. The section ends: "The need for any business park electric infrastructure shall be satisfied if the business park to be served is approved for the program by the Virginia Economic Development Partnership."[54]

Need is the contested element of a transmission certificate case; it is what intervenors litigate and what the Commission must find. Since 1 July 2023 the statute deems it found when an economic development agency approves the park.[54] The 2019 act that created the program said nothing about need. It deemed the costs of business park transmission "reasonable and prudent," gave the Partnership the role "to certify that up to three petitions within the certificated service territory of each Pilot Utility addresses the eligibility criteria," and required each project to be "less than seven miles in length."[54] The 2022 testimony cites the Partnership's approval letters for both parks as the showing that "the projects meet the criteria required of the Pilot Program Statute," and adds that "the projects are all less than seven miles in length."[51]

The section as amended in 2023 excuses the certificate route if the work is "an ordinary extension or improvement in the usual course of business."[54] No Appalachian Power certificate application naming Berry Hill appears in the Commission's case captions, on searches of the caption index of 25 September and

10 November 2026.[35] The records read do not show which route the Berry Hill loop took in 2020 to 2022, under the law then in force. Other transmission work in the same county does go through a certificate case. Appalachian Power's Altavista to Leesville project, a network upgrade identified in a PJM interconnection study, about five miles of new 138 kV line and six of rebuilds and relocation in Pittsylvania and Campbell counties, is one, and in it Commission Staff "reviewed and verified the power flow models" before agreeing that need had been shown.[55] The case was heard before a hearing examiner on 27 October 2026, and no report was on the docket on 10 November 2026.[55]

The county expects a certificate proceeding for what comes next. Its July 2026 application to the state's expedited permitting program lists, under "Expected Permits," a State Corporation Commission "Certificate of Public Convenience and Necessity (CPCN), and appropriate State sub-agencies," without saying for what facility.[56]

## The utility's own words for the site

Appalachian Power told its regulator what the wires were for. Its 2022 Integrated Resource Plan, in a passage on economic development: "The Company has invested in transmission and distribution facilities in order to make certain business parks that meet criteria prescribed in Section 56-585.1:10 in the Code of Virginia move-in ready for customers. Appalachian Power's investment in the Commonwealth Crossing Business Centre and Southern Virginia Megasite at Berry Hill give Virginia a competitive edge when recruiting new business by demonstrating the sites are construction-ready with valuable utility infrastructure already in place. ... Work to construct a new substation and five miles of transmission line at the Berry Hill site near Danville should be complete in the fall."[57] Its 2023 rate review witness: "By the end of 2022, APCo had successfully energized new in-park substations at both Commonwealth Crossing and Berry Hill, which are two of Virginia's most attractive industrial sites."[58] Its 2024 witness: the Berry Hill project "also continues to be an important investment bolstering the market competitiveness of Virginia's largest VEDP Business Ready Sites Program certified site."[59]

The infrastructure the county rezoned around in January 2026 was, in the utility's filings, a marketing asset built ahead of any announced occupant, as the statute intends, and paid for through a rate clause whose costs the statute had already deemed reasonable and prudent. Since 2023 the statute also makes the need for a business park's wiring the state economic development agency's to answer.

### The arithmetic the record allows

A 30 MVA substation serves on the order of 30 megawatts. The land contract's floor of 3,300 megawatts is about 110 times that, and the 299 megawatts the buyer needs a utility letter for is about ten times it.[33][36] The 2022 design provides for a second transformer of the same size or a line extension.[51] Nothing in the pilot program's record contemplates loads of this order. No certificate proceeding naming Berry Hill has been sought, and the county's own permit application expects one.[35][56]

# PART FIVE: THE FORECAST AND THE PIPELINE

Appalachian Power's base load forecasts on the Commission's docket are flat. Its most recent testimony puts twenty-five gigawatts of large load in inquiry.

## The forecast

The company's 2022 Integrated Resource Plan, filed 2 May 2022, is its most recent on the docket; the company's case index shows plan filings through 2022 and none since.[57] The plan builds its base case on outcomes "known with a degree of certainty."[57] Its executive summary: "APCo's internal energy needs are expected to remain relatively flat and peak demand is expected to change at an average rate of -0.1% per year through 2033." And: "Over the planning period, the Company does not expect a capacity shortfall."[57]

Three years later the base forecast in the company's 2025 Renewable Energy Portfolio Standard plan had energy growing a tenth of a percent a year: "APCo's internal energy requirements are expected to increase by 0.1% per year and peak demand is expected to remain relatively flat through 2039. For this forecast, it has been assumed that APCo's current wholesale customers will not renew their contracts beyond the current contract expiration dates, resulting in removal of their load from the forecast."[60] At the Commission's direction the plan also ran a high-load sensitivity, assuming about 200 megawatts a year of new large customers from 2027 through 2031, roughly 1,000 megawatts in all, with a 2031 summer peak of 6,446 megawatts against the base case's 5,441. "These load additions were assumed to be concentrated in the Company's Virginia commercial sector."[60]

Commission Staff read those numbers in July 2025, in the case that would produce the company's large-load terms: "the Company projects its internal energy requirements to increase by only 0.1% per year and its peak demand to remain relatively flat through 2039. This would appear to indicate that APCo does not expect to serve Large Load Customers in the foreseeable future."[61] The same report's footnote fixes the scale: "APCo's total annual peak demand for its Virginia jurisdiction in 2023 was 3,186 MW. A single 100 MW Large Load Customer would increase this peak demand by approximately 3.14%."[61]

## The pipeline

The company's own witness on large loads had already told the Commission something else, in March 2025: "As of last year, APCo had nearly 8,000 MW of potential new loads greater than 200 MW in its Virginia service territory that are in some level of discussion. These loads are exclusively data centers, so-called, 'hyper-scalers.'"[62] In May 2026, in the company's rate case, the same witness: "Since the

Company's 2024 Biennial Review, when the subject of potential large loads was just emerging, the Company has contracted with 540 MW of data center load in its Virginia service territory"; "There is currently 24,881 MW of potential customer load from 36 potential customers in various stages of inquiry or negotiation in APCo's Virginia service territory"; "The Company has two customers that have signed ESAs totaling 540MW (approximately 3.8 million MWh annually)."[63]

The Virginia jurisdictional peak was 3,186 megawatts in 2023. The signed contracts are 540 megawatts, about seventeen percent of that peak. The inquiries are 24,881 megawatts, about 7.8 times it. The base forecast, for the company's whole system, is flat through 2039, and the high-load sensitivity adds about 1,000 megawatts by 2031.

The base forecasts leave uncontracted load out, as plans ordinarily do. The pipeline the company's witness reports is about twenty-five times the large load its own high-load sensitivity assumes, and nothing filed reconciles the two. No filing says how the company would serve Berry Hill, and none says it could not.[63] The county's economic development director told the authority in May 2026 that STACK "will enter into an electric service agreement with Appalachian Power Company" and pay "Any and all costs associated with providing power to the campus," a statement of intent recorded in minutes that add, in the same passage, that "Southern Virginia in general needs additional long term base load generation."[37] The two signed contracts in the testimony are unnamed and unlocated.[63]

## The terms

Until 1 June 2026 Appalachian Power had no Commission-approved large-load terms. It proposed a large-load schedule in its 2024 rate review; the Commission denied it "without prejudice," agreeing "that it is reasonable to consider specific tariff provisions directed toward such potential customers" but finding "the instant record insufficient ... to impose at this time new requirements attendant to these customers."[64] The company refiled in March 2025.[62] The Final Order of 1 June 2026 adopted the Hearing Examiner's findings: that the company had shown "a sufficient need to revise Schedule L.P.S. to address the risks related to Large Load Customers"; that "A separate rate class for Large Load Customers is not required at this time"; that the terms apply to new or expanded load after 1 July 2025 "greater than or equal to 100 MW at an individual site or 150 MW on an aggregated basis"; a fourteen-year initial term including up to four years of ramp; an 80 percent monthly billing demand; and exit after five years on forty-two months' notice, with an exit fee beyond a twenty percent reduction.[65] The Retail Energy Advancement League noticed an appeal to the Supreme Court of Virginia on 30 June 2026.[66]

Dominion, whose territory takes in half the refused site (Part Six), handles large loads through a separate rate class, Rate Schedule GS-5, created by the Commission's biennial review order of 25 November 2025 for customers of 25 megawatts or more with a load factor of at least 75 percent, effective 1 January 2027, with special high-load terms that also reach large customers on other schedules; the same intervenor noticed an appeal of that order in December 2025. On 5 October 2026 Dominion filed, for usage on and after 1 January 2027, Rate Schedule GS-5 and special terms for high-load customers, those whose contracted demand on contiguous property is 25 megawatts or more, or whose measured demand there has reached 25 megawatts in at least three of the last twelve billing months, taking service on any of eight rate schedules, GS-5 among them, with the fourteen-year term and the ramp of up to four years; Commission Staff accepted the filing by letter of 14 October 2026.[67] Appalachian Power's regime is a set of terms attached to an existing schedule, adopted on 1 June 2026, reaching load added after 1 July 2025. The substance is closer than the form: both carry a fourteen-year term with up to four years of ramp, a twenty percent reduction without charge and an exit fee.[67][65] A statewide sentence about Virginia's large-load rules has to say which utility it means.

### One more filing

On 1 July 2026 STACK Infrastructure, Inc. filed a notice of participation in Appalachian Power's 2026 rate case, stating that it "develops, owns, and manages data centers" and that because the company's rates and terms "will have a direct impact on STACK'S business in the Commonwealth, STACK has a direct and substantial interest" in the case.[68] The notice does not mention Berry Hill or Pittsylvania County. A week later six of STACK's representatives signed agreements to adhere to the case's protective ruling. Google, which noticed its participation in August, filed direct testimony on 26 August 2026; through that round STACK had filed none.[69]

On 14 October 2026 STACK was one of the stipulating participants in a stipulation filed in the case. If accepted, it would adopt the company's clarified large-load terms with one exception, giving customers under them "the immediate option to fully fund via a Contribution in Aid of Construction ('CIAC') the construction costs of any substations and radial lines necessary to interconnect them," and would have the company file "a separate Large Load rate class" in a standalone proceeding within 90 days. It is "conditioned on and subject to acceptance by the Hearing Examiner and the Commission" and is non-severable. It names no site. The case was heard on 19 and 20 October, and no final order was on the docket on 10 November 2026.[87]

## PART SIX: FOUR UTILITIES, ONE COUNTY

The refused site straddles Dominion Energy Virginia and an electric cooperative. The rezoned site is Appalachian Power's, inside the City of Danville's territory.

### The refused site

The fourteen parcels of Balico's second application lie off Chalk Level Road in the Banister District, in a cluster about two miles across. On the Commission's electric service territory layer, the eight western parcels return Dominion Energy Virginia and the six eastern parcels return Mecklenburg Electric Cooperative; the boundary between them crosses the site near longitude 79.37 west.[70] No tested point on the site returns Appalachian Power or the City of Danville.[71]

The cooperative was also physically beside the refused site. On 7 November 2024, the night Balico's first application was withdrawn, the Planning Commission's agenda carried the cooperative's request for a special use permit "for Public Utilities (Transmission Line)" on a 146.70-acre parcel on Transco Road, which the Commission recommended to the Board of Zoning Appeals 7-0 with no opposition.[72] The R-25-001 adjoining-owner list gives that parcel to Williams Pipeline Services, LLC, and Balico's proffers name it as a neighbor; the same list shows the cooperative owning another adjoining parcel on Chalk Level Road.[72][12] Nothing in those records ties the line to Balico. Neither utility is recorded taking a position on Balico's application in the county packets and minutes cited in Part One. The applicant proposed to generate its own power behind the meter and proffered to meet the county's data center section, which requires evidence "that the owner has been approved by the utility company"; which utility's territory the land sat in is not a question the county record asks.[28][12]

### The park

Berry Hill is Appalachian Power's, by the 2016 certificate, as an island inside the City of Danville's territory.[49][50] The city is a municipal electric utility that gave the park up because, in the words the Commission recorded, it "does not have the capacity available to serve the Park's projected load."[49] It is also a co-owner of the park through the authority and a party to the performance agreement. It is building the gas line under the state grant. The city's utility capital plan of August 2026 carries the "Berry Hill Natural Gas Extension" at $8,000,000, to be "funded with a $6,000,000 VEDP grant, $460,000 engineering grant from the Tobacco Commission, and a $2,000,000 loan from the Tobacco Commission," with completion on 30 June 2027, and a $6,000,000 water main extension in the park "to feed Microporous and other park tenants," funded with the city's fiscal 2027 bonds.[78] At the utility commission's meeting of 24 August, asked whether the gas line's cost had been

updated to the bid price, the city's utilities director said, in the minutes' account, that "the winning bid came in at $9.2 million."[88] On 16 October 2026 the authority adopted, 3-0, a resolution authorizing a bill of sale of the park's water and sewer infrastructure to the city. It recites a 2021 memorandum that gave the city "the right and responsibility of … providing water and sewer service to the MEGASITE," and a 2020 agreement, amended 2 March 2026, with the City of Eden, North Carolina, "to make available certain capacities of potable water … for distribution within" the park.[79] On 9 November the authority's agenda carried the return of $1,150,000 set aside under Resolution 2025-10-15-5D for relocating an anode cable in the park; the draft resolution calls the relocation "no longer necessary."[90] Both governments expect the STACK project's revenue to be split equally, the county citing "the applicable revenue-sharing agreement" (below). The city and county's Agreement for Cost Sharing and Revenue Sharing, which the authority's July papers date to 2001 and Resolution 2026-09-14-5A to 2008, leaves utility infrastructure out: in the minutes' account of counsel in October, the utilities "were to be outside of" it.[39][48][73][79][82] The city is the only one of the four utilities in this story that is also a party to the deal.

## Danville's own rate and its own account of the split

Danville's own data center equipment rate, raised in May to $1.20 per $100, sits below the county's $1.62.[39][73] The city manager's $2.4 billion of local revenue over twenty years, "evenly split," in the minutes' words "includes the purchase of property, the full build out of all three phases, and the tax revenue that will be generated if all three phases occur," and the minutes add: "on average, this was about $60M per year." Spread over twenty years, $2.4 billion is $120 million a year, so the $60 million matches one party's half; the minutes do not say whose.[39] The revenue, in the minutes' paraphrase, "will fluctuate significantly based on the ramp up schedule and computer equipment replacement rates."[39] At the county's August hearing its economic development director said, in the minutes' paraphrase, that revenues from the STACK project "would be shared equally between Pittsylvania County and the City of Danville pursuant to the applicable revenue-sharing agreement."[73] The county levies; by both governments' accounts the proceeds are to be shared equally, and the revenue terms of the agreement the county cites are in none of these records.[73][48]

A television report of May 2026 stated that a city feasibility study found the city would likely need a new power substation.* The city's utility commission minutes for March, April and July 2026 carry no such finding and no data center, large-load or Berry Hill item; the July minutes' one substation reference is to an outage on 4 July.[74]

### The cooperative

Mecklenburg Electric Cooperative serves the eastern part of the refused site and other parts of the county.[70] It is headquartered in Chase City and serves, by its own description, about 31,000 to 32,000 meters across nine Virginia and five North Carolina counties; it has data center load of its own in Mecklenburg County and applied to the Commission for a large-power rate schedule in 2025.[75] County records name it three times: the transmission-line permit, the adjoining parcel, and a June 2026 rezoning of 38 acres elsewhere in the Banister District for commercial use.[72] The authority's and the city's minutes and the Commission's Berry Hill dockets do not mention it.

### What the four show

The site the county refused straddles an investor-owned utility with a new large-load rate class and a cooperative with a large-power schedule of its own before the Commission. The site it rezoned by right is served by a second investor-owned utility whose filed forecast is flat, inside the territory of a municipal utility that said in 2016 it could not serve the park and co-owns it through the authority. No utility took part in either decision on the county's record: the January 2026 packet and minutes name none, and the April 2025 packet names the cooperative only as an adjoining owner.[4][22][23][72]

## PART SEVEN: WHO DECIDES WHAT, ON THE RECORD

After January 2026 no rezoning or special use permit stood between a data center or a power station and the land at Berry Hill. The Board of Supervisors voted four times on the project in the seven months that followed, and none of the votes was on the use.

Before the rezoning a data center there needed a special use permit from the Board of Zoning Appeals, after Planning Commission referral and a public hearing, and its site plan went to the Commission.[10] Now the site development plan for a by-right use is the Zoning Administrator's to approve, "not ... subject to review by any other authority."[22] What the Board voted on instead was the money, the tax rate, the state's permitting track and the county's rules for large electricity users.

### 19 May 2026: the performance agreement

The Board added the performance agreement to its agenda as a new business item and authorized it 7-0 (Part Three). The minutes record the economic development director's remarks and no supervisor's; later that evening two supervisors' reports expressed support for it, one for "the Board's recent action regarding economic development."[38]

### 21 July 2026: the expedited permitting track

On 21 July the Board adopted Resolution 2026-07-03, asking the Commonwealth to admit "the Southern Virginia Megasite project ... by SAC III Acquisition Co., LLC, or its affiliate ('STACK')" to the Expedited Permitting Program under the Virginia Business Ready Sites Program, describing the project as "a new digital infrastructure campus with onsite power generation," and resolving that "once accepted into the program, the County will commit to working expeditiously with agencies of the Commonwealth to permit the Project for STACK."[32] The staff summary explained that the county "and the Virginia Economic Development Partnership were able to successfully get the project within the State's new Expedited Permitting Program, which selects up to 4 projects per year for expedited State permitting review," and that "As part of this selection, the County is required to pass the included Resolution."[40] The application letter in the same packet lists the permits the county expected, among them a Virginia Water Protection individual permit, a DEQ "Minor New Source Review Permit (Air)," and the Commission certificate noted in Part Four.[56]

The resolution was item e on the consent agenda. It was not read, moved or discussed separately. The consent agenda carried 4-2-1, Tucker, Bowman, Dudley and Whittle voting aye, Ingram and Dalton voting no, Brown abstaining, the same

split as an earlier vote that evening on agenda revisions, carried after Ingram withdrew a counter-motion "to leave the Agenda as presented." The minutes record no reason for any vote.[32] Ingram had moved the Board's authorization of the performance agreement in May and, as the authority's chairman, voted to authorize it on 18 May and to ratify it eight days before; Dalton had sat at all three of the authority's meetings as the county's alternate.[30][47][38]

Under Hearing of the Citizens that evening, the Coalition for the Protection of Pittsylvania County asked, in the minutes' paraphrase, for "greater transparency and public involvement regarding future industrial development, economic development studies, and the future land use map" in the comprehensive plan update.[32] The same speaker had asked the Planning Commission in November 2024 about "the public review and approval process that still remains" for data centers and power stations, had signed up to speak against Balico in January 2025, and had addressed both bodies twice on M-SVMS in January 2026, once for the Dan River Basin Association and once in her own name.[3][11][23] The minutes compress what she said into one sentence. On the video she began: "The 2010 future land use map played an important role in the Balico controversy." Of the county Industrial Development Authority's plan, which she described as a housing plan prepared by the regional authority's consultants, she said the IDA "approved it in April, and quickly began signing options to purchase contracts on thousands of acres." Of the regional authority's: "The RIFA plan, which was due in September, almost a year ago, was to include a data center analysis, an evaluation of existing industrial parks and identification of potential new industrial sites. The RIFA plan is not public."[76]

### 18 August 2026: the rate, and a site assessment the district escapes

On 18 August the Board held two public hearings that bear on the site. At the fourth hearing of the evening three speakers supported the $1.62 data center equipment rate, and the Board adopted it 7-0, effective that day.[73] At the first, with no one signed up to speak, it adopted 7-0 a set of Chapter 35 amendments "as presented," which staff described as "resulting from recent changes in state law."[73]

The amendments include a new § 35-720, "High Energy Use Facility (HEUF) Site Assessment Requirements," for facilities expected to need "one hundred (100) megawatts or more of electrical power from an electric utility providing retail service to the facility." Its assessments of effects on water, farmland, parks, historic sites and forest "shall apply in all zoning districts except the Southern Virginia Mega Site District (S-VMS). Within the S-VMS District, only the requirements of subsections (b) and (i) shall apply." Those two are a sound-profile assessment, required "Prior to approval of any rezoning application, special exception application, or special use permit application for the siting of a new HEUF," and a

utility's form identifying substations and transmission voltage, required "Prior to approval of any rezoning, special exception, or special use permit application."[27]

A by-right use in M-SVMS files none of those applications. The section reaches a facility there only if it seeks a rezoning, special exception or special use permit, and then only through those two subsections. The section names the district "S-VMS"; the district's own name is M-SVMS. Whether a facility that generates its own power needs power "from an electric utility providing retail service," and so counts as a High Energy Use Facility at all, the section does not say.

That is what a by-right district produces on the county's record: four Board votes from February through August, none of them on the use, and a local permit path that runs through the Zoning Administrator's office, with the state's permits on an expedited track and a contractual review estimate of ten business days.[43]

## After August 2026: early grading and the state permit

From 20 September through 10 November 2026 the Board's posted agendas and packets carry no item on the megasite, Berry Hill, STACK, SAC III or data centers; its minutes of those meetings were not yet posted.[80] The permits moved elsewhere.

On 16 October the authority approved, 4-0, the form of an early access agreement that lets the buyer, named in the form as STACK Acquisition III LLC, "formerly known as SAC III Acquisition Co., LLC," grade "the approximately 376 acre portion" of the property before any closing, under an early grading permit from the county's Department of Community Development, Plan Review No. ENG26-0092.[81] The form sets an erosion and sediment control bond of $2,751,476.20, to be posted with the county where the grading permit requires it. The authority's security is a performance bond of $87,000,000 "for the Work under the construction contract(s)," on which the buyer is obligee and the authority an additional obligee; the bond "shall secure the performance of the Work in accordance with the Approved Plans." The form adds an assignment to the authority of the construction contract "[a]s additional security for the performance of the Work." The Work is clearing, grading, erosion control, haul roads and site preparation.[81] The form ties the bond to the Work alone. The performance agreement's minimum tax payment remains one the company "may, at its sole discretion," make up (Part Three),[42] and the form leaves the decision to buy where the land contract put it: the buyer "may exercise its sole and absolute discretion in deciding whether or not to proceed."[33][81] The bond's own form is not attached to the version in the packet; a note in the agreement says its "form and terms ... remains under discussion between the parties."[81] In the minutes' account the county's economic development director told the authority the grading was "to meet the needs of the expected first tenant."[82]

The Virginia Water Protection permit the county expected in July has been applied for. The form recites a joint permit application "dated on or about October 6, 2026," prepared by the buyer's consultant and submitted "in Seller's name as the owner of the Property" to the Corps of Engineers and DEQ, and states that the grading "does not include the disturbance of any wetlands or waters of the United States."[81] DEQ's permit tracking shows a Virginia Water Protection individual permit application for "Project Crossroads," in the authority's name, received 8 October 2026; on 10 November 2026 the system targeted public comment on a draft permit for 21 January to 25 February 2027 and a decision for 13 March 2027. The same system lists three state surface water determinations, filed in September and October 2026, for mitigation sites named for the project.[83] The Norfolk District of the Corps of Engineers had published no notice for the project on its 2026 list as read on 10 November 2026, and the state system, searched that day under the project's, the buyer's, the authority's and the consultant's names, showed no air permit application.[83][84] The application itself was not obtained.

The land contract's clock, in the record read, is the March form's: the first closing "shall occur no later than June 9, 2027." On 20 October Danville's city manager, Ken Larking, who signed the city's 2016 request to give up electric service to the park (Part Four), told council, in the minutes' account, that the buyer has "to close on it by June of this upcoming year."[85][86]

# PART EIGHT: REFUSAL, THEN ENTITLEMENT

Whether Berry Hill is built is open: the land contract's conditions run to the buyer, who can walk on either.[33] The early access form of October 2026 lets the buyer start grading before it decides and keeps the decision its own (Part Seven).[81] No filing says how Appalachian Power would serve it. Why the Board wrote a district in which § 35-142 does not apply, no document says.

## The typology, and where Pittsylvania sits in it

Governing the Demand Shock sorts Virginia's counties onto a spectrum of five postures by "the relationship between the timing of local reform and the arrival of the industry." It places Pittsylvania at the refusal-before pole:

> Refusal-before. The community confronts a large project, finds the terms unacceptable, and refuses it outright, frequently before any reform ordinance is in place. Refusal preserves leverage by exercising it, accepting forgone revenue as the price of control. Its limit is that it is reactive and case-by-case: each refusal resets the contest to the same starting line for the next applicant. Hanover, Fauquier, and Pittsylvania occupy this pole.[77]

That passage placed Pittsylvania on the Balico denial. The county record qualifies it in one respect: Pittsylvania's refusal came after its reform ordinance. The data center section carries a May 2024 mark; by Balico's counsel's account the Board of Zoning Appeals approved the county's first data centers in November 2024; and Balico proffered to meet the section.[28][6][12]

The sequel is what the typology lacks. Nine months after the refusal the same Board, with no applicant before it and prospects before its authority, wrote a district for one site, made data centers by right on it, put a standard of its own in place of the county's data center section, and handed site-plan approval to an administrator. Fifty-three days later the authority it shares with the city approved the sale of the site under a contract that defines the project at 3,300 megawatts with onsite gas generation.

The spectrum's fifth posture, pre-entitlement-by-ordinance, describes a county that "writes demanding rules … before the first application, and makes entry conditional on meeting them," and "sets the terms while the county still holds all of its leverage."[77] Pittsylvania wrote its rules before the first application at Berry Hill and set them while it held its leverage. The terms it set were by right, and on noise they are weaker than both its own 2024 section and the offer of the applicant it refused. If the typology needs a sixth position, it is this one: refusal, then entitlement by ordinance, on the county's own motion, for a site the county co-owns. Whether the statewide work calls it a sixth posture or the refusal pole showing what "reactive

and case-by-case" costs when the next applicant is the county itself, the sequence is the county's own.

It ran on a park wired at ratepayers' cost under a statute that declared the cost prudent in advance, toward a load its utility's filed forecasts do not contain.

## APPENDIX A: CLAIM AND SOURCE TABLE FOR PART TWO

Part Two carries the study's most contestable claims. Each is listed with the document and page it rests on and the grade of the evidence: P for a primary document, V for a video passage heard by the author.

| Claim | Source | Page | Grade |
|---|---|---|---|
| The Board initiated the text and map amendments itself on 30 December 2025, 6-0, one supervisor absent | Board minutes, special meeting, 30 Dec 2025 [18] | pp. 24–25 | P |
| R-26-008 was the Board's own application, 3,499.99 acres, seven parcels, from M-2 to M-SVMS | Public hearing notice [20] | p. 5 | P |
| M-2 already permitted private power generation, public-utility generation and steam generation by right; a data center was a special use | Chapter 35, §§ 35-402, 35-403 [9] | pp. 138–141 | P |
| Special use permits are issued by the Board of Zoning Appeals after Planning Commission referral and a hearing; § 35-111 allows the reviewing body to vary or waive supplementary regulations | Chapter 35, §§ 35-111, 35-712, 35-713 [10] | pp. 66, 156 | P |
| Both bodies approved the text and map amendments "as presented," the Board 7-0; the rezoning motion approved use "for heavy industry and power generation," 7-0; no floor amendment | Joint meeting minutes [23] | pp. 33–37 | P |
| Ten speakers on the text amendment; sixteen plus one emailed comment on the rezoning, nine for and seven against or for delay | Joint meeting minutes [23] | pp. 33–37 | P |
| Section 35-537.1.a, under "Eligibility": "Section 35-142 shall not apply to the M-SVMS District" | Hearing packet [22]; codified redline [27] | p. 17; p. 222 | P |
| The codified Division 14 carries the mark "B.S.M. 1/20/26 in its entirety," and §§ 35-536 and 35-537 match the hearing text | Chapter 35 redline, 18 Aug 2026 packet [27] | pp. 212, 222 | P |

| Claim | Source | Page | Grade |
|---|---|---|---|
| Section 35-142 requirements: public water, no commercial wells, utility approval, enclosure and screening, generator hours, facades, 75-foot equipment setback, 65 dBA at the property line, pre-operation and annual sound testing, 48-hour cure | Chapter 35, § 35-142 [28] | pp. 79–81 | P |
| M-SVMS data center and power station standards, including 150-foot and 220-foot heights, 100-foot and 500-foot residential setbacks, buffer yards, safety plans, fencing, and the noise clauses | Hearing packet [22] | pp. 17–21 | P |
| Chapter 41 limits by receiving land use: residential and agricultural 57/52 dBA; industrial 77/77; most restrictive classification applies; industrial activity on industrial land exempt | Chapter 41, §§ 41-5.B, 41-6, 41-9.Q [13] | pp. 4, 6, 8 | P |
| Balico's last proffer statement set 52 dBA at the property line for data centers and the power station, unless exempted under the noise ordinance | Proffer statement dated 15 April 2025 [12] | p. 261 | P |
| A parcel beside the district is "Mostly surrounded by A-1, Agricultural District and M-SVMS" | R-26-013 staff summary [29] | p. 74 | P |
| Site plans in M-SVMS are the Zoning Administrator's alone; in M-2, industrial site plans go to the Planning Commission unless exempt | Hearing packet [22]; Chapter 35, §§ 35-742, 35-752 [10] | p. 18; pp. 159–160 | P |
| No supervisor's remarks, and no mention of § 35-142 by anyone, are recorded in the minutes of 15 January 2026; the captions of the whole meeting carry no reference to the section | Joint meeting minutes [23]; captions [24] | pp. 32–38 | P |

| Claim | Source | Page | Grade |
|---|---|---|---|
| The county's economic development director told the hearing that M-2 already permitted private power plants by right, and that as of that evening no executed performance agreement or purchase contract was in place: "a speculative rezoning" | Meeting video [24] | 1:01:26; 1:02:57 | V |
| The chairman: "Most of the board has signed NDA non-disclosures" | Meeting video [24] | 2:28:04 | V |

## APPENDIX B: OPEN AT THE DATE OF THIS TABLE

Open as of 10 November 2026.

| Item | Status |
|---|---|
| The Agreement for Cost Sharing and Revenue Sharing between Danville and Pittsylvania County, as amended | The authority's July 2026 resolution and its executive summary date it 2 October 2001, and the resolution quotes its Section 6(D); Resolution 2026-09-14-5A, tabled in September and adopted 16 October 2026, quotes the same paragraph as Paragraph 6.D "of the 2008 Agreement for Cost Sharing and Revenue Sharing, as amended"; the full agreement, with its revenue terms, not obtained |
| The executed purchase and sale agreement, and its amendments | The authority's counsel said in July 2026 that it had been signed; the form approved on 9 March 2026 is public. The authority's October 2026 resolution recites a First Amendment of 21 July and a Second Amendment of 30 July 2026. The executed agreement and both amendments not obtained |
| The early access agreement as executed, and its performance bond | The authority approved the form on 16 October 2026, subject to counsel's approval "as to legal form"; the form's bond exhibit reads "To be attached." Execution and the bond not seen in the record read |
| The joint permit application for "Project Crossroads" | Dated on or about 6 October 2026 and filed in the authority's name. The state's tracking system shows a Virginia Water Protection individual permit application for "Project Crossroads" in the authority's name, received 8 October 2026, with its status, not its contents. Not obtained |
| The signed January 2026 ordinance, and the reason for the 20 January 2026 date on its codification mark | Not obtained; the codified text matches the hearing text |
| The economic development director's December 2024 presentation to the county Industrial Development Authority | Known from Balico's counsel's account at the Planning Commission; not obtained |
| Certificate Map X34 (2016) | Not obtained. The Commission's memorandum of 30 March 2016 (DocID 150433) attaches the city's letter of 4 February 2016, Appalachian Power's of 14 March 2016, the city's council resolution and the authority's consent, with the city's aerial map of the park; it does not carry the certificate map. The Commission's territory layer is used for the map |

| Item | Status |
|---|---|
| Any county § 15.2-2232 determination for the Berry Hill loop and substation, 2020 to 2022 | County records for those years not searched |
| Zoning of all land adjoining the M-SVMS district | Not mapped; one staff summary describes one neighboring parcel |
| The authority's strategic plan | Described as not public by a speaker at the Board's meeting of 21 July 2026; not obtained |
| What "Project Orange" was, whose due diligence payments the authority received in fiscal 2025 | Not stated in the minutes that record the payments |
| Whether either of the two electric service agreements in Appalachian Power's May 2026 testimony is for Berry Hill | The testimony names neither |
| The draft performance agreement Cardinal News reported in March 2026 | Not obtained |
| The Danville feasibility study WSET reported in May 2026 | Not obtained; not in the utility commission's minutes |

# APPENDIX C: TIMELINE

| Date | Event |
|---|---|
| 8 Apr 2016 (Fri) | Commission issues Certificate E-X34, moving the Berry Hill park from Danville's service territory to Appalachian Power's |
| Jun 2020 | Appalachian Power acquires the Berry Hill substation property |
| 2 May 2022 (Mon) | Appalachian Power files its 2022 Integrated Resource Plan |
| 7 Jul 2022 (Thu) | Commission's rate clause order covering the Berry Hill and Commonwealth Crossing pilot costs |
| Q4 2022 | Berry Hill substation placed in service |
| 21 May 2024 (Tue) | Amendment mark on § 35-142, the county's data center section |
| 7 Nov 2024 (Thu) | Planning Commission allows withdrawal of R-24-031 without penalty; hears the cooperative's transmission line permit request |
| 7 Jan 2025 (Tue) | Planning Commission recommends denial of R-25-001, 7-0 |
| 18 Mar 2025 (Tue) | A speaker for Balico asks the Board to postpone the R-25-001 hearing to April |
| 15 Apr 2025 (Tue) | Board denies withdrawal, 5-2, and denies R-25-001, 6-1 |
| 25 Jul 2025 (Fri) | Commission Staff report in Appalachian Power's large-load case |
| 25 Nov 2025 (Tue) | Commission creates Dominion's GS-5 rate class |
| 30 Dec 2025 (Tue) | Board initiates the M-SVMS text and map amendments, 6-0 |
| 15 Jan 2026 (Thu) | Joint hearing; Board adopts Division 14 and rezones 3,500 acres to M-SVMS, 7-0 and 7-0 |
| 9 Mar 2026 (Mon) | Authority approves the sale to SAC III Acquisition Co., LLC and the form of purchase agreement, 4-0 |
| 18 May 2026 (Mon) | Authority authorizes the performance agreement, 4-0 |
| 19 May 2026 (Tue) | Board authorizes the performance agreement, 7-0; Danville raises its data center equipment rate to $1.20 |
| 29 May 2026 (Fri) | Appalachian Power testimony reports 540 MW contracted and 24,881 MW in inquiry |
| 1 Jun 2026 (Mon) | Commission's final order on Appalachian Power's large-load terms |
| 14 Jun 2026 (Sun) | "As of" date of the executed performance agreement |
| 30 Jun 2026 (Tue) | Notice of appeal of the large-load order |

| Date | Event |
|---|---|
| 1 Jul 2026 (Wed) | STACK Infrastructure notices participation in Appalachian Power's rate case |
| 13 Jul 2026 (Mon) | Authority ratifies the performance agreement and authorizes the gas line grant agreement, 4-0 |
| 21 Jul 2026 (Tue) | Board adopts the expedited permitting resolution on its consent agenda, 4-2-1 |
| 18 Aug 2026 (Tue) | Board adopts Chapter 35 amendments including § 35-720, 7-0, and the $1.62 data center equipment rate, 7-0 |
| 14 Sep 2026 (Mon) | Authority tables the water and sewer bill of sale to the city, 4-0; grants the city a sewer easement and supports a training center in the park, 4-0 and 4-0 |
| 8 Oct 2026 (Thu) | DEQ receives the Virginia Water Protection individual permit application for "Project Crossroads," filed in the authority's name |
| 14 Oct 2026 (Wed) | Stipulation filed in Appalachian Power's rate case, STACK among the stipulating participants |
| 16 Oct 2026 (Fri) | Authority adopts the water and sewer bill of sale to the city, 3-0, and approves the form of an early access agreement for grading, with an $87 million performance bond, 4-0 |
| 19–20 Oct 2026 | Commission hears Appalachian Power's rate case |
| 20 Oct 2026 (Tue) | Danville's city manager tells council the buyer must close by June 2027 |
| 26 Oct 2026 (Mon) | DEQ requests comments on the permit application from four state agencies |
| 9 Nov 2026 (Mon) | Authority's agenda carries the rescission of a $1,150,000 set-aside for relocating an anode cable in the park, "no longer necessary" |

## ENDNOTES

[1] Pittsylvania County Planning Commission, agenda packet, 7 November 2024, item 9.l, Case R-24-031, staff report (staff contact Emily Ragsdale). CivicClerk event 1166, fileId 714, pp. 151–152. File: Pittsylvania_primary/civicclerk_file714.pdf.

[2] Same, pp. 152–153 (BACKGROUND/DISCUSSION; RECOMMENDATION).

[3] Pittsylvania County Planning Commission, minutes of 7 November 2024, as approved at the 3 December 2024 meeting: Hearing of the Citizens p. 5; item 9.l p. 14. CivicClerk event 1242, fileId 744. File: civicclerk_file744.pdf. The vote block for item 9.l records "SECONDER: None" while the narrative names Mr. Webb as seconder.

[4] Pittsylvania County Board of Supervisors, agenda packet, 15 April 2025, item 10.a.1, Case R-25-001, executive summary and staff summary, pp. 91–92 (staff contact Emily Ragsdale; original Board date 18 February 2025, p. 92). CivicClerk event 1260, fileId 845. File: civicclerk_file845.pdf.

[5] Board packet of 15 April 2025 (note 4), applicant's Preliminary Traffic Analysis, p. 215.

[6] Board packet of 15 April 2025 (note 4), letter from counsel for Balico, LLC to Emily Ragsdale, pp. 97–99, including the statement that the Board of Zoning Appeals had approved "the County's first data centers during its meeting last Thursday."

[7] Board packet of 15 April 2025 (note 4), applicant's exhibits: combined-cycle option p. 192; Air Quality & Dispersion Analysis pp. 193–194; Emissions Information p. 203. The text layer of p. 203 drops the "ti" ligature ("ini al," "aeroderiva ve"); quoted from the rendered page.

[8] Pittsylvania County Planning Commission, meeting of 7 January 2025, video on YouTube (24Q25zLDpXI), heard by the author at 1:18:26 to 1:18:40, 1:19:31 to 1:20:19, 1:22:35 to 1:22:54, 4:35:48 to 4:36:03, 4:37:18 to 4:37:34, 4:39:12 to 4:39:46, 4:43:33 to 4:44:05 and 4:44:37 to 4:45:12. The speaker at 1:18 to 1:23 and at 4:35 to 4:38 is Balico's counsel. His explanation that the proffers were written for a power station of any size, 4:37:34 to 4:38:08, is paraphrased from the captions. Automatic captions: Pittsylvania_transcripts/YT_24Q25zLDpXI_2025-01-07_PlanningCommission_autocaptions.txt.

[9] Pittsylvania County Code, Chapter 35, Zoning, § 35-402 (Permitted Uses, M-2) and § 35-403 (Special Use Permits, M-2), county DocumentCenter copy, pp. 138–141; latest amendment mark in the file B.S.M. 5/21/24. File: PCC_Chapter35_Zoning_DocumentCenter1060.pdf.

[10] Pittsylvania County Code, Chapter 35, DocumentCenter copy (note 9): § 35-111 p. 66; §§ 35-406 and 35-407 p. 142; §§ 35-712 and 35-713 p. 156; § 35-742 p. 159; § 35-752 p. 160.

[11] Pittsylvania County Planning Commission, minutes of 7 January 2025, as carried in the 4 February 2025 agenda packet: agenda revision p. 7; item f, Case R-25-001, pp. 11–13 (summary p. 12; sign-up list pp. 12–13); roster, Dan River District, Justin Brown, p. 3. CivicClerk event 1272, fileId 792. File: civicclerk_file792.pdf. The Commission approved a motion "to allow the applicant to withdraw parcel # 2426-69-3980 from Case # R-25-001, and allow the remaining application to proceed as amended" (p. 11). The staff report and the Board's minutes of April 2025 still give 763.16 acres (notes 4 and 16); the applicant's traffic analysis gives 746 (note 5), and its counsel told the Commission that "with the removal of that one parcel rather than being slightly north of 760 acres we're just a little bit south of 750 acres" (note 8).

[12] Board packet of 15 April 2025 (note 4), Proffer Statement for the Rezoning Application of Balico, LLC, Case Number R-25-001, dated 18 March 2025, pp. 142–152, and as revised, dated 15 April 2025, pp. 255–265 (uses p. 255; definitions, including private generation "for sale to the public grid," p. 256; setbacks, fire station and the adjoining parcel 2436-95-5098 p. 257; buffer, berms and public water p. 258; security fencing p. 261; fire and emergency services, security plan and joint emergency response plan p. 262; power station fencing p. 263; noise, proffer 17, p. 261, where the March text at p. 148 sets 65 dBA for data centers; turbine enclosure p. 263; decommissioning bond p. 264; data center standards, proffer 31, and voidness, proffer 36, p. 265). The packet's attachment list names the proffers "2025.03.25 - Proffers - Clean"; the text layer of the April statement ends "[signatures follow on next page]."

[13] Pittsylvania County Code, Chapter 41, Noise Control Ordinance, adopted 30 June 1993: § 41-5.B (most restrictive classification) p. 4; § 41-6 (Maximum Sound Pressure Levels, table) p. 6; § 41-9(Q) (Exemptions) p. 8; adoption p. 9 of the DocumentCenter copy. File: PCC_Chapter41_NoiseControl_DocumentCenter1265.pdf.

[14] Pittsylvania County Board of Supervisors, business meeting of 15 April 2025, video on YouTube (eTxQcPmy5zM), heard by the author at 1:03:39 to 1:04:28, 1:04:43 to 1:05:00, 1:05:26 to 1:06:44 and 3:18:18 to 3:19:37. Captions: Pittsylvania_transcripts/YT_eTxQcPmy5zM_2025-04-15_BOS_autocaptions.txt.

[15] Pittsylvania County Board of Supervisors, minutes of 18 March 2025, as carried in the 15 April 2025 agenda packet (note 4), pp. 16–17.

[16] Pittsylvania County Board of Supervisors, minutes of the business meeting of 15 April 2025, Chatham High School Auditorium, Case R-25-001. CivicClerk fileId 1038: withdrawal request and 5-2 vote p. 4; public hearing pp. 4–10, thirty-four speaker paragraphs (the Hillwood Group p. 5). Laserfiche docid 533042 carries the same minutes. File: civicclerk_file1038.pdf; Generation/primary/pittsylvania/pittsylvania_bos_minutes_2025-04-15_docid533042.txt.

[17] Board of Supervisors minutes of 15 April 2025 (note 16), p. 10 (motion, mover Tucker, seconder Hite, and 6-1 vote).

[18] Pittsylvania County Board of Supervisors, minutes of the special meeting of 30 December 2025, as carried in the 17 February 2026 agenda packet (note 23), fileId 1229, pp. 24–25.

[19] Danville-Pittsylvania Regional Industrial Facility Authority, minutes of 9 March 2026 (note 31): Tupelo Storage easement relocation p. 1; fiscal 2025 financial statements p. 2; 69 kV line relocation p. 3.

[20] Public Hearing Notice, joint public hearing of the Planning Commission and Board of Supervisors, 15 January 2026, as carried in the joint meeting agenda packet. CivicClerk event 1501, fileId 1153, p. 5. File: civicclerk_file1153.pdf.

[21] Joint hearing packet (note 20), staff summary for item 5.a.1 (staff contact Matthew Evans), p. 3.

[22] Joint hearing packet (note 20), proposed Chapter 35 text amendments: Division 14, Southern Virginia Mega Site District (M-SVMS), §§ 35-533 to 35-544 as advertised, pp. 7–21 (purpose p. 7; permitted uses pp. 9–11; special uses p. 12; definitions pp. 13–16, Data Center p. 14, Power Station p. 16; § 35-537 pp. 17–21: eligibility and performance standards p. 17; site development plans and data center standards pp. 18–19, noise p. 19; power station standards pp. 20–21, height p. 20, noise p. 21). The text-amendment motions of both bodies approved the amendments "as presented"; the minutes (note 23) record no amendment from the floor.

[23] Pittsylvania County Board of Supervisors, minutes of the joint meeting with the Planning Commission, 15 January 2026, as carried in the 17 February 2026 business meeting agenda packet. CivicClerk event 1332, fileId 1229, pp. 32–38 (text amendment hearing p. 33; rezoning hearing pp. 35–37). File: civicclerk_file1229.pdf. The Planning Commission's vote tallies in these minutes ("6-0" and "5-0") do not close against the names listed as ayes, which in both cases include a member also listed as absent; this study reports the motions and movers and does not report a Commission tally.

[24] Joint meeting of the Planning Commission and Board of Supervisors, 15 January 2026, video on YouTube (-nDKTWTJtgk), heard by the author at 1:01:01 to 1:01:41, 1:02:57 to 1:03:30, 1:38:39 to 1:38:47, 1:55:07 to 1:55:15, 2:19:25 to 2:20:25, 2:21:54 to 2:23:10, 2:25:02 to 2:25:14 and 2:28:04 to 2:28:49. Paraphrased from the captions: the director on the projects staff was pursuing, 1:01:41 to 1:02:25; the chairman on trust, 2:28:49 to 2:29:17. Captions: Pittsylvania_transcripts/YT_-nDKTWTJtgk_2026-01-15_JointMeeting_autocaptions.txt, searched in full for "142" and for the number spoken as words, with no hit; automatic captions can miss a spoken section number.

[25] Pittsylvania County Board of Supervisors, minutes of the work sessions of 16 December 2025 (closed session under Va. Code § 2.2-3711(A)(5), "Unannounced Prospective Businesses/Industries," "General Economic Development Projects Update," pp. 13–14) and 20 January 2026 (closed session under the same subsection, pp. 40–41), as carried in the 17 February 2026 packet (note 23), fileId 1229; RIFA minutes of 9 March 2026 (note 31), pp. 3–5: closed session under §§ 2.2-3711(A)(5), (A)(39) and (A)(3), including "the negotiation and award of a specific contract pertaining to the Authority's Southern Virginia Megasite at Berry Hill project, Cyber Park project and/or Cane Creek Centre project," and the resolution on the sale distributed on paper on return to open session.

[26] Pittsylvania County Board of Supervisors, minutes of the reorganizational meeting of 6 January 2026, as carried in the 17 February 2026 packet (note 23), fileId 1229: the chairman welcoming "newly elected Supervisor Justin Brown" p. 27; roster, "Justin N. Brown - Dan River District"; appointment to the Planning Commission's vacant Dan River District seat on Brown's motion p. 31.

[27] Pittsylvania County Board of Supervisors, agenda packet, 18 August 2026, item 10.a.1, Chapter 35 Zoning Ordinance redline, fileId 1554: Division 14 heading and codification mark p. 212; § 35-537.1 p. 222; § 35-720 pp. 240–241. File: civicclerk_file1554.pdf. Sections 35-536 and 35-537 match the January hearing text (note 22) word for word; only the use lists are restyled. The heading "DIVISION 14. SOUTHERN VIRGINIA MEGA SITE DISTRICT. M-SVMS (B.S.M. 1/20/26 in its entirety)" dates the codification five days after the vote the minutes record; the signed ordinance has not been obtained. The county's DocumentCenter copy of Chapter 35 (note 9) predates the district.

[28] Pittsylvania County Code, Chapter 35, § 35-142, Data Center, subsections (A) to (H), amendment mark B.S.M. 5/21/24, pp. 79–81 of the DocumentCenter copy. File: PCC_Chapter35_Zoning_DocumentCenter1060.pdf. The section's internal cross-references to "Section 7-6-2(G)" and "Section 7-6-2(A)" point to section numbers that do not exist in Chapter 35.

[29] Pittsylvania County Board of Supervisors, agenda packet, 21 April 2026, Case R-26-013 staff summary, CivicClerk fileId 1312, p. 74. File: civicclerk_file1312.pdf. Bounded to that summary; the zoning of all land adjoining the district was not mapped for this study.

[30] Danville-Pittsylvania Regional Industrial Facility Authority, minutes of 9 March, 18 May and 13 July 2026 (present: Ingram, Tucker, Saunders, Vogler, and alternates Miller and Dalton; votes by the four members); Danville City Council minutes of 19 May 2026 (Saunders identified as RIFA vice chairman; Vogler and Miller as council members serving on the authority). File: Pittsylvania_primary/danville_civicclerk_file5886.pdf p. 1 and p. 5, 6049.pdf pp. 1 and 5, 6108.pdf pp. 1–2, 6019.pdf p. 1.

[31] RIFA, agenda packet, 9 March 2026, Resolution 2026-03-09-7C and Exhibit A (Form of PSA). Danville CivicClerk event 2767, fileId 5836, resolution p. 38; minutes fileId 5886, p. 5 (vote 4-0). File: danville_civicclerk_file5836.pdf, danville_civicclerk_file5886.pdf.

[32] Pittsylvania County Board of Supervisors, Resolution 2026-07-03, adopted 21 July 2026 as consent agenda item e; text in the 21 July packet, fileId 1491 p. 46; roll call and Hearing of the Citizens in the minutes of 21 July as carried in the 18 August 2026 packet, CivicClerk event 1338, fileId 1554, pp. 11–13. File: civicclerk_file1491.pdf, civicclerk_file1554.pdf.

[33] Form of PSA, § 4.4.3 (Power Condition) and § 4.4.4 (Leasing Condition), fileId 5836 p. 45 of 73 (printed PSA p. 8). The page is a scan without a text layer; quoted from the author's transcription of the rendered page. The form describes the land by lot and plat; no total acreage appears on its transcribed pages or in the machine-read text of its scanned pages 44 to 73.

[34] Local Performance Agreement dated as of 14 June 2026, RIFA, County of Pittsylvania, City of Danville and SAC III Acquisition Co., LLC, as Exhibit A to RIFA Resolution 2026-07-13-6A, in the RIFA agenda packet of 13 July 2026. Danville CivicClerk event 2771, fileId 6046, pp. 38–64 (parties p. 38; recitals pp. 38–39; county signature block p. 63). File: danville_civicclerk_file6046.pdf.

[35] The case-caption index of 33,581 SCC cases retrieved 25 September 2026 carries no caption naming Berry Hill, the Southern Virginia Megasite, SAC III or Stack Infrastructure; re-run on 10 November 2026 against the index of 33,639 cases, no case established after 25 September 2026 carries such a caption, or one naming Pittsylvania. A full-text search of the SCC docket for "299 MW" on 10 August 2026 returned no Appalachian Power document. Bounded to those searches on those dates.

[36] Form of PSA, § 8.6 (Cooperation), fileId 5836 p. 52 of 73 (printed PSA pp. 21–22); quoted from the author's transcription of the rendered page, as in note 33.

[37] RIFA, minutes of the special called meeting of 18 May 2026: economic development director's presentation pp. 1–4 (incentives p. 2; electric service and service territory p. 4); item 4A, Resolution 2026-05-18-4A, and 4-0 vote p. 5. Danville CivicClerk event 3970, fileId 6049. File: danville_civicclerk_file6049.pdf.

[38] Pittsylvania County Board of Supervisors, minutes of the business meeting of 19 May 2026, as carried in the 16 June 2026 agenda packet, CivicClerk fileId 1438: agenda addition p. 10; New Business item a, "SAC III LPA," motion p. 17 and vote p. 18; board member reports p. 18. File: civicclerk_file1438.pdf.

[39] Danville City Council, minutes of 19 May 2026: RIFA report and city manager's remarks pp. 1–2; Ordinance No. 2026-05.06, "Consideration of a Data Center Tax Increase," p. 5, 9-0. Danville CivicClerk event 2929, fileId 6019. File: danville_civicclerk_file6019.pdf.

[40] Pittsylvania County Board of Supervisors, agenda packet, 21 July 2026, item 7.f, staff summary for Resolution 2026-07-03 (staff contact Matthew Rowe). CivicClerk event 1337, fileId 1491, pp. 42–43. File: civicclerk_file1491.pdf.

[41] Local Performance Agreement (note 34), § 4(b)(i) and (ii), fileId 6046 p. 46 (printed p. 9); the TPP Tax Adjustment example, with the "non-incentivized rate," is at § 5(c), p. 49.

[42] Local Performance Agreement (note 34), § 5(c) (Underperformance – Cumulative New Job Creation; Minimum Tax Payment), p. 49 (printed p. 12).

[43] Local Performance Agreement (note 34), § 4(c) (New Taxes) and § 4(d) (Fast-Track Permitting and Governmental Approvals), p. 48 (printed p. 11).

[44] Local Performance Agreement (note 34), § 2(e) table, p. 45 (printed p. 8).

[45] Local Performance Agreement (note 34), § 5(c), New Job Underperformance Payment example, p. 51 (printed p. 14): "(450 - 400) x $5,000.00."

[46] RIFA agenda packet of 13 July 2026 (note 34), text layer of pp. 38–64 searched for "megawatt," "MW," "299" and "Appalachian" with no hit inside the agreement; the only "Appalachian" hits in the packet are in the reproduced 18 May minutes at p. 9. Pages 33, 83, 107, 108 and 118–130 carry no text layer and were rendered and read. Bounded to the packet as served on 25 September 2026.

[47] RIFA, minutes of 13 July 2026, items 6A and 6C. Danville CivicClerk event 2771, fileId 6108, pp. 2–4. File: danville_civicclerk_file6108.pdf.

[48] RIFA, agenda packet, 13 July 2026, executive summary for Resolution 2026-07-13-6C, fileId 6046 p. 89; the resolution, pp. 90–91, names the "Agreement for Cost Sharing" and quotes its Section 6(D) at p. 91.

[49] Virginia State Corporation Commission, Case No. PUE-2016-00037, Joint Application of Appalachian Power Company and the City of Danville, Order for Issuance of a Certificate, 8 April 2016, pp. 1–2 (Certificate E-X34; Map X34). Docket DocID 150553. The docket index retrieved 25 September 2026 lists two documents, the order and a memorandum of 30 March 2016 attaching the applicants' letters (DocID 150433). File: Pittsylvania_primary/SCC_PUE-2016-00037_doc150553_Order_Certificate_2016-04-08.pdf; scc_doclists_2026-09-25.json.

[50] Virginia SCC electric service territory layer, ArcGIS Online item 3654b21beb0d489ea16b279c782d8d88 ("VA_Electric_2016," owner account bill.blaszak_VASCC), queried 25 September 2026 at points inside and around the county's megasite polygon (APC inside; CityOfDanville around); query log kept by the author. A GIS layer, not a certificate; the certificated boundary is Map X34, which was not retrieved.

[51] Case No. PUR-2022-00014, Appalachian Power Company, Application for approval of a rate adjustment clause (T-RAC), Direct Testimony of John Mark Neal, filed 7 April 2022 and entered as Exhibit 5 on 9 June 2022, printed pp. 3, 5–6 of 6 (PDF pp. 7, 9–10; Commonwealth Crossing and Berry Hill costs and designs pp. 8–9). DocID 342961. File: SCC_PUR-2022-00014_doc342961_Neal_Direct_2022-06-09.pdf.

[52] Case No. PUR-2023-00061, Direct Testimony of John Mark Neal, entered 22 June 2023, printed p. 5 of 6 (PDF p. 8; Wildwood scope and cost pp. 7–8). DocID 364215. File: SCC_PUR-2023-00061_doc364215_Neal_Direct_2023-06-22.pdf.

[53] Case No. PUR-2022-00014, Final Order, 7 July 2022, pp. 2–4, Consumer Counsel p. 4 (DocID 348814); Case No. PUR-2023-00061, Final Order, 24 July 2023, pp. 2–4 and n. 11, notice and comments pp. 2–3 (DocID 365043). File: SCC_PUR-2022-00014_doc348814_FinalOrder_2022-07-07.pdf, SCC_PUR-2023-00061_doc365043_FinalOrder_2023-07-24.pdf.

[54] Va. Code § 56-585.1:10, "Program for electric infrastructure serving business parks," as served by law.lis.virginia.gov on 25 September 2026 (history line: 2019, c. 535; 2022, c. 216; 2023, cc. 704, 705). File: Pittsylvania_primary/vacode_56-585.1-10_retrieved_2026-09-25.htm and its text extraction. Session laws: Acts 2019, c. 535 (H 1840, approved 18 March 2019), § 56-576 ("Business park"), p. 1; § 56-585.1 A 4 (iii) (costs "deemed reasonable and prudent"), p. 6; second enactment, ¶¶ c–e (revenue sharing between two or more localities; "less than seven miles in length";

"up to three petitions"), pp. 14–15. Acts 2022, c. 216 (H 405, effective 1 July 2022): still "less than seven miles," no need provision. Acts 2023, cc. 704 and 705 (H 1776 and its companion S 1420, both effective 1 July 2023): add the sentence on need quoted in the text and the certificate or § 15.2-2232 routes, and repeal the 2019 act's expiry; the ten-mile limit and the two petitions a year described above are the section as it stands after them. File: Pittsylvania_primary/LIS_Acts2019_c535_HB1840_chaptered_348669.pdf. The 2022 and 2023 chapters were read on 10 November 2026 in their chaptered texts linked from lis.virginia.gov: c. 216, p. 4 (legacy file 843934); c. 704, p. 14 (legacy file 910017); c. 705, p. 14 (legacy file 914182).

[55] Case No. PUR-2026-00012, Appalachian Power Company, Altavista to Leesville Transmission Improvements Project, Order for Notice and Hearing, 27 May 2026, pp. 1–2 (DocID 389336); Direct Testimony of Commission Staff witness, filed 18 September 2026, PDF p. 10 (DocID 392352). File: SCC_PUR-2026-00012_doc389336_OrderForNoticeAndHearing_2026-05-27.pdf, SCC_PUR-2026-00012_doc392352_Staff_Joshipura_Prefiled_2026-09-18.pdf. Hearing of 27 October 2026, DocIDs 393276 to 393343; docket list read 10 November 2026.

[56] Pittsylvania County Economic Development, Virginia Business Ready Expedited Permitting Program locality application to the Virginia Economic Development Partnership, in the 21 July 2026 agenda packet (note 40), fileId 1491, pp. 44–45 ("Expected Permits" p. 44; State Corporation Commission p. 45). The letter says its list "is not exhaustive."

[57] Case No. PUR-2022-00051, Appalachian Power Company, 2022 Integrated Resource Plan, filed 2 May 2022, executive summary (printed pp. ES-2 to ES-3; PDF pp. 13–14 of part 1), economic development section (printed pp. 22–23; PDF pp. 39–40 of part 1), and scenario framing (PDF p. 36 of part 1). File: Generation/primary/scc/PUR-2022-00051_2022-05-02_APCo_2022_IRP_Report_part1.pdf. The statement that no later APCo plan is on the docket rests on a search of the Commission's case index across all 411 Appalachian Power cases on 24 August 2026 and is bounded to that date.

[58] Case No. PUR-2023-00002, Direct Testimony of Aaron D. Walker, Exhibit 5, entered 24 August 2023, printed p. 10 (PDF p. 13). DocID 365924. File: SCC_PUR-2023-00002_doc365924_Walker_Direct_Ex5_2023-08-24.pdf.

[59] Case No. PUR-2024-00024, Direct Testimony of Aaron D. Walker, Exhibit 12, entered 10 September 2024, printed p. 8 (PDF p. 11). DocID 375883. File: SCC_PUR-2024-00024_doc375883_Walker_Direct_Ex12_2024-09-10.pdf.

[60] Case No. PUR-2025-00049, Appalachian Power Company, 2025 RPS Plan as corrected, Exhibit 3, entered 12 August 2025, printed p. 19 of 73 (PDF p. 20; high load forecast sensitivity PDF p. 22). DocID 383208. File: SCC_PUR-2025-00049_doc383208_RPSPlan_Ex3_asCorrected_2025-08-12.pdf.

[61] Case No. PUR-2025-00057, Staff Report prepared by Brian S. Pratt, Division of Public Utility Regulation, 25 July 2025, printed p. 5 and n. 11 (PDF p. 6). DocID 382227. File: SCC_PUR-2025-00057_doc382227_StaffReport_2025-07-25.pdf.

[62] Case No. PUR-2025-00057, Direct Testimony of William K. Castle, filed 24 March 2025 and entered as Exhibit 4 on 12 November 2025, printed p. 4 of 17 (PDF p. 6). DocID 385327. File: SCC_PUR-2025-00057_doc385327_Castle_Direct_Ex4_2025-11-12.pdf.

[63] Case No. PUR-2026-00044, Direct Testimony of William K. Castle, filed 29 May 2026, printed pp. 4–5 and 8–9 of 18 (PDF pp. 7–8, 11–12). DocID 389509. File: SCC_PUR-2026-00044_doc389509_Castle_Direct_2026-05-29.pdf. The Commission dockets read for this study are those cited in notes 49, 51 to 53, 55, 57 to 69 and 91.

[64] Case No. PUR-2024-00024, Final Order, 20 November 2024, PDF p. 18. DocID 376666. File: SCC_PUR-2024-00024_doc376666_FinalOrder_2024-11-20.pdf.

[65] Case No. PUR-2025-00057, Final Order, 1 June 2026, Hearing Examiner's findings 1) to 9) and ordering paragraph (1) adopting them, PDF pp. 6–7 and 9. DocID 389440. File: SCC_PUR-2025-00057_doc389440_FinalOrder_2026-06-01.pdf.

[66] Case No. PUR-2025-00057, Retail Energy Advancement League, Notice of Appeal, 30 June 2026. DocID 390330. File: SCC_PUR-2025-00057_doc390330_REAL_NoticeOfAppeal_2026-06-30.pdf.

[67] Case No. PUR-2025-00058, Virginia Electric and Power Company biennial review, Final Order, 25 November 2025, parties p. 2, Rate Schedule GS-5 from PDF p. 23; Retail Energy Advancement League, Notice of Appeal, December 2025. File: Generation/primary/scc/PUR-2025-00058_2025-11-25_Biennial_FinalOrder_20251125.pdf and PUR-2025-00058_2025-12-22_Biennial_REAL_NoticeOfAppeal_20251222.pdf. Compliance filing, Section XXVII Special Terms and Conditions for High Load Customers and Rate Schedule GS-5, eFiled 5 October 2026, DocID 392701 (cover letter PDF p. 2; terms pp. 4–9); filed under the Final Order and the Order Granting Motion of 3 September 2026 (cover letter); Staff letter of 14 October 2026 accepting the filing, DocID 392885; docket list read 10 November 2026.

[68] Case No. PUR-2026-00044, STACK Infrastructure, Inc., Notice of Participation, 1 July 2026, pp. 1–4. DocID 390393. File: SCC_PUR-2026-00044_doc390393_STACK_NoticeOfParticipation_2026-07-01.pdf.

[69] Docket document index for Case No. PUR-2026-00044 retrieved 25 September 2026 (150 documents): Stack Infrastructure, Inc., Agreements to Adhere to Protective Ruling, 8 July 2026 (DocID 390499), and no later Stack filing; Google, LLC, Notice of Participation, 7 August 2026 (DocID 391293), and Direct Testimony, 26 August 2026 (DocID 391732). File: Pittsylvania_primary/scc_doclists_2026-09-25.json.

[70] Virginia SCC electric service territory layer (note 50), queried 25 September 2026 at the centroids of all fourteen R-25-001 parcels as served by the county's Tax_Parcels_Public service (gis.pittgov.org); eight return "VEPCO," six return "MEC." Query logs kept by the author. Parcel list from the R-25-001 staff report (note 4).

[71] The Alfred P. Sloan Foundation study's research proposal names Mecklenburg Electric Cooperative among its three Virginia utilities and places the cooperative "in Pittsylvania County" at the site of "a 2024 proposal for–and 2025 rejection of–plans for a data center and massive gas-fired power plant." On the Commission's layer the eastern half of the refused site is the cooperative's and the western half Dominion's (note 70). Quoted from the text extraction of the proposal's Virginia scope passage; the proposal spells the cooperative "Mecklenberg," and its dashes are reproduced as extracted.

[72] Planning Commission agenda packet of 7 November 2024 (note 1), item 9.j, Case S-24-022, pp. 2 and 128; minutes of 7 November 2024 (note 3), pp. 12–13; R-25-001 adjoining-owner list in the 15 April 2025 packet (note 4), p. 139 (GPIN 2436-95-5098, Williams Pipeline Services, LLC; GPIN 2436-37-9311, Mecklenburg Electric Coop); Board of Supervisors minutes of 16 June 2026, as carried in the 21 July 2026 packet (note 40), Case R-26-024, p. 24. The text layers carry no description of the line's purpose.

[73] Pittsylvania County Board of Supervisors, minutes of the business meeting of 18 August 2026, as carried in the 15 September 2026 agenda packet, CivicClerk fileId 1611: public hearing item 1, Chapter 35 amendments, and 7-0 vote p. 12; public hearing item 4, data center equipment tax rate, three speakers, and Resolution 2026-08-03, 7-0, pp. 14–15. File: civicclerk_file1611.pdf.

[74] Danville Utility Commission, minutes of 23 March, 27 April and 27 July 2026, two pages each; the first page of each carries a text layer, and the second pages were rendered and read by optical character recognition on 25 September 2026.

Danville CivicClerk fileIds 5909, 6064, 6124. File: danville_civicclerk_file5909.pdf, 6064.pdf, 6124.pdf. Bounded to those three minute sets.

[75] Tommy N. Turner, Case Study: Mecklenburg County, Boydton, South Hill, and What Fifteen Years of Data Centers Actually Bought (2026), DOI 10.5281/zenodo.20673485, Part Eight, "Power and the Co-op Dimension," and its note 67 (meckelec.org; SoVaNow, 17 September 2025); Virginia SCC Case No. PUR-2025-00160, Mecklenburg Electric Cooperative, application for a new Large Power Service rate schedule, established 29 August 2025 (case index retrieved 25 September 2026). The meter and county figures are the cooperative's own as reported there and are not re-verified here.

[76] Board of Supervisors, business meeting of 21 July 2026, video on YouTube (a6AnMxzMqpI), heard by the author at 30:40 to 30:51 and 36:12 to 36:57; the speaker's description of the IDA's plan as a housing plan by the regional authority's consultants, 35:45 to 36:12, is paraphrased from the captions. The video begins during the evening's recognitions, after the consent agenda vote. Captions: Pittsylvania_transcripts/YT_a6AnMxzMqpI_2026-07-21_BOS_autocaptions.txt.

[77] Tommy N. Turner, Governing the Demand Shock: Local Institutional Variation in Virginia's Data Center Expansion, and How the Timing of Reform Determined Who Paid, v1.0 (June 2026), Section 10, "The Five Postures," DOI 10.5281/zenodo.20692387 (concept DOI 10.5281/zenodo.20692386). Quoted as published.

[78] Danville Utility Commission, agenda packet of 24 August 2026, utility capital plan: "Trotters Creek Water Main Extension," p. 26 of 38 (status "Engineering Completed- Procurement underway," completion 31 May 2027); "Berry Hill Natural Gas Extension," p. 27 of 38 (status "Engineering Completed- Construction Procurement"); portfolio table, p. 37 of 38. Danville CivicClerk fileId 6120. File: danville_civicclerk_file6120.pdf.

[79] RIFA Resolution 2026-09-14-5A, text in the RIFA agenda packet of 14 September 2026, fileId 6170 pp. 14–15 (2008 agreement, Paragraph 6.D, p. 14; Memorandum of Understanding of 14 June 2021, p. 14; agreement with the City of Eden dated 31 July 2020, as amended 2 March 2026, pp. 14–15), and again in the packet of 16 October 2026, fileId 6232 pp. 13–14. Tabled 14 September 2026, 4-0 (minutes, fileId 6232 p. 6); adopted 16 October 2026, 3-0 (minutes, fileId 6267 pp. 1–2). Files: danville_civicclerk_file6170.pdf, danville_civicclerk_file6232.pdf, danville_civicclerk_file6267.pdf.

[80] Pittsylvania County Board of Supervisors, Planning Commission and Industrial Development Authority, posted agendas and packets from 20 September 2026

through 10 November 2026, searched for "megasite," "Berry Hill," "STACK," "SAC III," "Crossroads," "data center," "M-SVMS" and "Balico." Board of Supervisors: fileIds 1651, 1655, 1656 and 1658 (20 October), 1673 and 1675 (4 November special meeting), with no files yet posted for its three 17 November meetings; Planning Commission: 1638 and 1643 (6 October), 1676 and 1677 (5 November); Industrial Development Authority: 1659 (21 October). Image-only pages excepted.

[81] Early access agreement, form marked "[CB Draft 10/14/2026]," STACK Acquisition III LLC to the authority, Exhibit A to RIFA Resolution 2026-10-16-6B, in the RIFA agenda packet of 16 October 2026, Danville CivicClerk fileId 6232: resolution pp. 82–83; agreement pp. 86–97 (buyer "formerly known as SAC III Acquisition Co., LLC," p. 86; Work Area, § 1, p. 87; Work, § 2, pp. 87–88; Access Period, § 3, pp. 88–89; performance bond, E&S bond and "No Other Security," § 6, and note 1, p. 90; Early Grading Permit and Joint Permit Application, § 8, p. 91; § 13, p. 94); Exhibit C, "Form of Performance Bond," p. 100. The resolution calls the buyer a Colorado limited liability company and the agreement a Delaware one. File: danville_civicclerk_file6232.pdf.

[82] RIFA, minutes of 16 October 2026, items 5A and 6B. Danville CivicClerk fileId 6267, pp. 1–4. File: danville_civicclerk_file6267.pdf.

[83] Virginia Permit Transparency (permits.virginia.gov), DEQ application 26-2337, "Project Crossroads," VWP Individual Permit Application, applicant the authority, received 8 October 2026, read 10 November 2026; State Surface Water Determinations SSWD-001009, SSWD-001023 and SSWD-001049, Pittsylvania County, received 21 September, 25 September and 14 October 2026. The system was searched on 10 November 2026 under "Crossroads," "STACK," "SAC III," "Stack Infrastructure," "Berry Hill," "Megasite," "Data Center," the authority's name and the consultant's name.

[84] U.S. Army Corps of Engineers, Norfolk District, Regulatory public notices for 2026, all pages, read 10 November 2026. No notice names Berry Hill, the megasite, STACK, SAC III, Crossroads or the consultant; the one notice in Pittsylvania County is NAO-2025-01629, a mitigation bank.

[85] Danville City Council, minutes of 20 October 2026, as posted before approval, Communications, fileId 6240 p. 6. File: danville_civicclerk_file6240.pdf.

[86] Form of PSA, § 5 (Closing Procedure), fileId 5836 p. 46 of 73 (printed PSA p. 10); quoted from the author's transcription of the rendered page, as in note 33. The amendments of 21 and 30 July 2026 (note 81) were not obtained.

[87] Case No. PUR-2026-00044, Corrected Motion to Accept Stipulation and Stipulation, eFiled 14 October 2026, DocID 392877 (first filed as DocID 392868):

stipulating participants, motion p. 1 (PDF p. 3); ¶ 38 (conditioned on acceptance), PDF p. 16; STACK's signature block, PDF p. 25; Stipulation ¶ 9 and ¶ 10, Exhibit A pp. 2–3 (PDF pp. 8–9). Hearing transcripts of 19 and 20 October 2026, DocIDs 393218 and 393220. Docket list read 10 November 2026. File: SCC_PUR-2026-00044_doc392877_Stipulation_2026-10-14.pdf.

[88] Danville Utility Commission, minutes of 24 August 2026, as distributed with the agenda packet of 28 September 2026, Danville CivicClerk fileId 6188 pp. 3–4. File: danville_civicclerk_file6188.pdf.

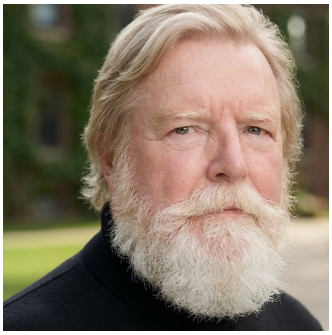
[89] Virginia State Corporation Commission, Case No. PUE-2016-00037, Staff memorandum of 30 March 2016 attaching Appalachian Power's letter of 14 March 2016 (p. 2), the City of Danville's letter of 4 February 2016 (p. 3), Danville City Council Resolution No. 2015-12.17, adopted 15 December 2015 (p. 5), and the authority's Resolution 2016-03-14-6A (pp. 9–10). DocID 150433. File: SCC_PUE-2016-00037_doc150433_Memorandum_2016-03-30.pdf.

[90] RIFA agenda packet of 9 November 2026, item 5.C and Resolution 2026-11-09-5C, Danville CivicClerk fileId 6261 pp. 20–21. The minutes of that meeting were not posted on 10 November 2026. File: danville_civicclerk_file6261.pdf.

[91] Case No. PUR-2024-00079, Appalachian Power Company, transmission rate adjustment clause (T-RAC), Direct Testimony of Brian J. Frantz, APCo Exhibit No. 3, PDF p. 8 (DocID 373520); Case No. PUR-2025-00202, Direct Testimony of Levi D. Robinson, APCo Exhibit No. 3, PDF pp. 6–7 (DocID 386537). Each reads: "APCo is recovering current costs, including operation and maintenance, property taxes, depreciation and carrying charges for the Berry Hill, Commonwealth Crossing, and Wildwood Industrial Parks through the T-RAC." The Commission's orders in those two cases were not read. File: SCC_PUR-2024-00079_doc373520_Frantz_Direct_Ex3.pdf, SCC_PUR-2025-00202_doc386537_Robinson_Direct_Ex3.pdf.

* Secondary sources, marked with an asterisk in the text: Cardinal News, 10 March 2026, Grace Mamon, "$73 billion project at Pittsylvania megasite would be largest in Southside history," reporting a "minimum 299 MW load from Appalachian Power by end of 2028" as a term of a draft performance agreement supplied by the authority's counsel (Part Three; the draft the reporter held has not been obtained); WSET, 21 May 2026, on the Danville data center rate and a feasibility study's substation finding (Part Six). Press accounts are cited for what they reported; no finding rests on them.

## About the Author



Tommy N. Turner is an independent researcher and writer who documents the local-government and energy dimensions of the data center build-out. His series of jurisdiction-level case studies covers the Virginia counties where those decisions have been made, refused, or contested, and the analytical volumes extend the work into the systems the decisions run on: the transmission network and the cost-allocation machinery, the water law that governs industrial withdrawal, and the disclosure rules that determine what a resident is entitled to know before a vote is taken. Pittsylvania is the series' case of a county that refused a project and then entitled the same pairing of uses on its own motion.

Like the rest of the series, this volume is assembled from primary records, from the county's packets and ordinances to the State Corporation Commission dockets that record how the park was wired and how its utility plans.

His work spans data center fiscal and environmental policy across Virginia, Georgia, and Tennessee, local public finance, and the governance questions the two raise, and he writes opinion and analysis on Virginia public affairs for outlets including the *Richmond Times-Dispatch*, the *Virginia Mercury*, the *Virginian-Pilot*, the *Roanoke Times*, *Cardinal News*, and *RTO Insider*. Since July 2026 he has served on the advisory board of *Data Centers and the Southern Energy Buildout: Implications for Electricity Costs, Energy Transition, and Energy Justice*, a three-year study at Emory University funded by the Alfred P. Sloan Foundation. He advises that study and is not a member of its research team; nothing in this document reports its work. He holds an MBA from Emory's Goizueta Business School and spent two decades in financial institutions and banking systems before turning to research full time.

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