

Speaking Engagements | August 12, 2026

Building the Grid: Solving the State and Local Transmission Puzzle — and Why Speed to Power Depends on It

SPEAKERS

[Josh Combs](#) | [Andy J. Flavin](#)

In the next episode of our *Building the Grid* series, Troutman Pepper Locke Partners [Josh Combs](#) and [Andy Flavin](#) unpack the concept of “speed to power” — how quickly large load electric customers like data centers secure reliable power when and where they need it — and how that imperative is colliding with the realities of state and local transmission planning. Zooming in on Virginia and the PJM region, where large load demand is outpacing the traditional planning cycle, Josh and Andy explain the intersection between PJM transmission planning and Virginia’s own state-level siting process, including the certificate of public convenience and necessity (CPCN) and an appeal right to the Virginia Supreme Court that can extend project timelines by a year or more. They close with a clear message: plan early, build public trust before filing, and prioritize existing transmission rights-of-way wherever possible.

Click below to view more episodes of *Building the Grid*:

[Aligning Utilities and Developers on the Next Wave of Transmission](#)

Transcript

Title: Building the Grid: Solving the State and Local Transmission Puzzle — and Why Speed to Power Depends on It

Speakers: Josh Combs and Andy Flavin

Josh Combs (00:13):

Hey, Andy. Great to see you today. Look forward to chatting about something that I think is on the minds of every client that we serve and, and really the entire industry for that matter. And that’s speed to power. And I think this series that we’re gonna be talking about is focusing on the state and local transmission puzzle that makes up this larger issue. So, good to see you.

Andy Flavin (00:34):

Thanks, Josh. Nice to see you as well. You mentioned “speed to power.” What are you talking about when you say “speed to power” here?

Josh Combs (00:42):

Yeah. Well, so I think that really for the first time in a generation, power availability is becoming the deciding factor on where major projects are being built. And so when we say “speed to power,” we’re talking about the ability for large load customers, data centers, right? Being able to get reliable and adequate power for their facilities when they need it. And as a result of this unprecedented load growth that we’re experiencing in the industry, I think that these issues—transmission planning / transmission development—are really on the minds of regulators, legislators, utilities, and every stakeholder in this process. And that’s what this series that we’re gonna be discussing about is gonna focus on these topics from different vantage points. And zooming in on the state and local transmission piece I know that you have a background in working with clients in Virginia and PJM, and I’ll be able to help provide some perspective on how these issues are developing in non-RTO jurisdictions where there are vertically integrated public utilities.

And, speaking of Virginia that I just mentioned I know that that’s one of the most visible examples where this growth is outpacing the traditional planning cycle. Can you talk a little bit about how Virginia and PJM really presents unique issues in the kind of special environment for your clients?

Andy Flavin (02:07):

Sure. Yeah, so I do work in Virginia quite a bit and have been working with electric transmission siting now for several years. Virginia is a member of PJM. So at a very high level, transmission planning is done through the PJM Regional Transmission Expansion Plan or RTEP process. And a lot of times what PJM will do, for example, for large baseline projects is PJM will identify needs, where transmission needs to be built or rebuilt in order to solve engineering needs. And it will open up windows and allow transmission owners to propose projects to address those needs. So certainly within the PJM region, we have a mix of states where you have essentially vertically integrated utilities, which is closer to the Virginia model. And then you also have states that allow essentially a competitive choice. But within PJM, you can see bids from incumbent electric utilities, and you can also see bids from what I call merchant transmission, companies who want to bid in on a project and build it, within what otherwise might be the territory of a more traditional electric utility.

And so Virginia in particular, over the past several years, has seen incredibly strong growth, a load growth associated, not exclusively, but significantly with data centers. And it started in Northern Virginia. There’s a place you may have heard referred to as data center alley up kind of in the Loudoun County area. But it’s becoming more and more challenging as data center growth has continued to proliferate. And so in Virginia, we’re seeing that data center growth spread further and further outside of Northern Virginia. And so, and we’re also seeing the need, too, where we need regional transmission solutions to address needs in specific areas. So for example, there might be an acute need because of data center growth, for example, around the Northern Virginia area, but that may require solutions, transmission solutions, that span across multiple states. So that’s certainly one very challenging factor that we’re running into here.

And Josh, obviously, I think as you know, while this transmission planning generally is handled at the PJM level, but when it comes to transmission siting, that’s generally a state-by-state approach. And some states have, have responded differently than others.

Josh Combs (05:27):

Right. Right. Yeah. And I definitely wanna, and to probably chat for a long time about some, some of those issues. Can you help provide some color when we talk about, you hear these terms like, “unprecedented load growth.” How is that load growth really showing up in terms of the demand in Virginia and PJM? And just provide, putting into context, what we mean when we say unprecedented load growth.

Andy Flavin (05:51):

Sure. So for example, I think PJM's 2026 load forecast projected summer peak load growth of around 3.6% annually over the next 10 years, with the summer peak reaching over 222,000 megawatts in 2036, then over 250,000 megawatts in 2046. That is an incredibly significant load growth within PJM. And again, it's certainly Virginia has been the bleeding edge within PJM, but that growth is expanding to other locations beyond just Virginia. And even just I mentioned Northern Virginia in particular, and certainly there's some growth going on in other parts of Virginia, but also outside of Virginia as well, starting to see more of that growth. And you know, I can certainly say from the Virginia perspective this load growth is really incredibly significant. And it's we're talking about transmission here, obviously, that's a big need, but, but it also impacts other types of resources as well, particularly making sure there's enough generation to supply these facilities.

Josh Combs (07:17):

And those are those are pretty. I think the numbers speak for themselves. And when a large electric customer comes into Virginia or in the PJM territory, if you had to think of the primary kind of hurdles that they have to overcome in order to kind of get that reliable and adequate power that I was talking about earlier, whether it's siting or cost allocation, what are some of the biggest issues that they have to face in that process?

Andy Flavin (07:45):

Yeah, so, I think to your point, Josh, it's rarely one issue that slows everything down. Obviously, there's a need to identify what the load needs are, and what types of engineering challenges that presents, and what those electrical solutions are. So that's one piece that obviously takes some time. And it is certainly challenging as well when you're looking at one particular area or one particular data center complex, which may have a very significant load, but that planning has to go on and take into consideration all of the other loads that may be growing and then also has to take into account, for example, generation that may be retiring within the PJM footprint that also can impact transmission planning. So that's kind of one area, just the planning and finding the appropriate electrical solutions.

Then you get into the siting piece, certainly, and that is challenging in and of itself where, particularly if you're potentially talking about projects that span multiple states, where you have multiple jurisdictions, but even within, if you're entirely within one jurisdiction a lot of these projects will take at least a year to go through the local siting process. Those are essentially administrative litigation where the prospective transmission owner will propose one or more routes and those proposals will be subject to very careful review by the relevant state agencies, or state regulatory bodies, and also will allow an opportunity for other parties to come in and to identify maybe alternative routes or identify concerns about potential impacts from the various routes. So it's certainly a very challenging

process, or it can be a very challenging process.

A lot of it too really requires a lot of public engagement well before you file any application. And certainly potentially even as you're considering potential solutions, transmission developers need to, really need to take that into consideration well in advance, so that can hopefully inform the solutions that they're proposing. And all of these processes take time. I can certainly speak to in Virginia, for example, even if you go through the process to get a certificate of public convenience and necessity to build a transmission line from the Virginia State Corporation Commission, those final orders from the Virginia State Corporation Commission are appealable by right to the Supreme Court of Virginia, so that right there would tack on at least another year after you get your siting approval. So lots of different moving parts that are very challenging, and it's really important for certainly potential large loads, and also for their transmission developers to be aligned on what all these potential moving parts are and what realistic timelines are for getting through those various processes.

Josh Combs (11:33):

Yeah. And I mean, that, there really are so many moving parts and variables. Are you aware, I guess, I would think that clients and stakeholders, one of the questions that they have is what's being done to speed up this process? Is there anything being done to kind of streamline this process to kind of shorten that timeline as we think about speed to power?

Andy Flavin (11:58):

So I think there are some FERC orders that I think we'll probably be talking about a little bit later, and really kind of looking at different levels here. There's the FERC orders, which really kind of go more into the planning process and what might be done to make that planning process, and particularly long-term planning, more efficient. You know, at the state level, it really will go state by state. I do know, for example, in Virginia, there was some legislation passed during the 2026 Virginia General Assembly session that just became active on July 1, 2026, where it generally shortens the time by which the State Corporation Commission should rule on an application for a transmission CPCN of 138 kilovolts or higher to nine months, but then allowing up to an additional four months if it's to allow more public comment if necessary in public participation.

So that's one area where Virginia certainly is trying to speed up at least the siting process timeline. I am familiar in some other states that have actually created different siting tiers. So based on the type of project that you're proposing, there are timelines associated with it that naturally for a project that maybe is not a brand new 500 kV line across 20 miles of greenfield right of way, which obviously is likely to have more impacts than, say, a much shorter line in a, in an existing transmission corridor or maybe right next to an existing transmission corridor. Some states have created a tiered siting process where some projects—that may not have as many impacts—can be approved or at least reviewed in a much shorter time period. So, and again, that's where you kind of get into this challenge where you have an essentially state-by-state siting process.

And you may have some states certainly that particularly for a project that's proposed to go through their jurisdiction, but if they feel that that project is not designed to help the customers in their jurisdiction, they may be less likely to move things along.

Josh Combs (14:50):

Right, right. And I think we've seen some of those projects in the trade press and in the news, and how those kind of manifest themselves when these projects are going through multiple jurisdictions. If you had to think about one big takeaway for folks that looking to develop projects in the PJM territory or in Virginia specifically, and I know that we talked about all these moving parts, what is the big takeaway as folks are facing these issues?

Andy Flavin (15:25):

Sure. Well, I think one thing is developers and potentially new large loads should recognize upfront that these are becoming increasingly sensitive issues, talking about new infrastructure, and particularly how those costs are potentially allocated. But even strictly from the siting perspective we're seeing some projects that are, for example, rebuilds of an existing transmission line within an existing transmission corridor, which historically in the past have gone through largely unopposed. We're seeing more public interest and opposition to those projects now if the public feels that those projects are tied primarily or exclusively to meeting data center loads. So I think that's one thing in particular that folks should be cognizant of is that there's a lot more interest and sensitivity to these projects that may increase the likelihood of facing some adversity or some opposition from the public, and that in turn can lengthen these timelines further.

Along those lines certainly encourage developers and large loads to consider locations and projects that hopefully can maximize the use of existing transmission rights of way, or at least are very close to existing transmission rights of way to minimize the need for new "disruptions," as for lack of a better term, or minimizing the need to acquire new rights of way that can certainly help move things along. But I think the biggest thing at this point, if I can just sum it up, is you need to plan carefully in advance and you need to engage with the public well in advance and allow significant enough time and be realistic about the timelines of getting through these various processes.

Josh Combs (17:51):

Yeah, I think that kind of deliberating and intentional engagement on the front end and thinking about these issues before they become a problem, right? Trying to have a constructive process will really help. And you talked some about Virginia. I obviously work with a lot of clients in the Southeast that are in non-RTO jurisdictions. And so we're seeing those issues kind of manifest themselves as well, kind of a different flavor to the same issue.

Copyright, Troutman Pepper Locke LLP. These recorded materials are designed for educational purposes only. This video is not legal advice and does not create an attorney-client relationship. The views and opinions expressed in this video are solely those of the individual participants. Troutman does not make any representations or warranties, express or implied, regarding the contents of this video. Information on previous case results does not guarantee a similar future result. Users of this video may save and use the video only for personal or other non-commercial, educational purposes. No other use, including, without limitation, reproduction, retransmission or editing of this video may be made without the prior written permission of Troutman Pepper Locke. If you have any questions, please contact us at troutman.com.

DISCLAIMER: This transcript was generated using artificial intelligence technology and may contain inaccuracies or errors. The transcript is provided "as is," with no warranty as to the accuracy or reliability. Please listen to the

video for complete and accurate content. You may [contact us](#) to ask questions or to provide feedback if you believe that something is inaccurately transcribed.

The commentary and views expressed in this video by Troutman Pepper Locke attorneys and/or guests do not necessarily represent the views of Troutman Pepper Locke or the firm's clients.

RELATED INDUSTRIES + PRACTICES

- [Conventional Power](#)
- [Energy Construction](#)
- [Energy Project Financing](#)
- [FERC](#)
- [State Energy Regulation](#)