**Remarks of Mark Christie**

**Oath-taking Ceremony**

**January 4, 2021**

Good afternoon and welcome to the Shannon Courtroom of the Virginia State Corporation Commission. My colleagues Judy Jagdmann and Jehmal Hudson have graciously agreed to have this event here and I thank them.

Because of the COVID pandemic we’ve been all mostly working at home for the past 9 months and we don’t see each other. So the other day I down on the ground floor going through our temperature check station and ran into one of our building maintenance employees who I had not seen in months and he said, “Judge Christie, are you still here? I thought you went to some federal agency last summer.”

His comment reminded me of one of those great country music lines, “How can I miss you when you won’t go away?”

Well, today, I am going away from this wonderful place called the Virginia State Corporation Commission. And so this is a bittersweet day. After 17 years I just entered this courtroom as an SCC commissioner for the last time.

Earlier today I signed my last order at the SCC. We do about 1000 orders a year here, since in addition to utilities, we also regulate insurance, banking and securities, among others. So that’s about 17,000 orders since I was first sworn in back in 2004.

And in those 17,000 orders I only dissented two times, and both on the same issue (in case you’re wondering, the issue was whether a utility should be allowed to recover charitable contributions. I was opposed to any recovery. I said that giving away other people’s money is not altruism.

That record really is testimony to the great colleagues I have served with, each one of whom came from different political backgrounds, each one of whom was committed to defending the public interest and had strong opinions, but each one recognized that the SCC must follow the law and not try to impose our own political or policy agendas:

* Ted Morrison and Clint Miller, both former members of the General Assembly, each from a different party.
* And then Judy Jagdmann came on in 2006, and we’ve served together for 15 years, longer than most couples stay married.
* Then Jimmy Dimitri came on in 2008, appointed by a Democratic governor, now Senator, Tim Kaine. No one was more dedicated to defending consumers than Jimmy.
* And then Patricia West, a friend who was a pleasure to serve with.
* And since last summer, Jehmal Hudson, and let me just say, if you’re watching from FERC you know and worked with Jehmal and we’re very grateful for his appointment. Somebody said that FERC and the SCC were trading players just like baseball teams in the off-season. That trade has already worked out for Virginia; hopefully for FERC as well.

Before continuing, let me thank a few people.

First, my wife Anita. We’ll celebrate our 20th anniversary this coming spring. I said at my Senate hearing that she is my best friend and life partner in all ways. What I did not say is that Anita is not a lawyer – and I very much am (in fact, somebody I worked with once said I gave at least a ring of truth to every lawyer joke ever told… I think he was joking.) But for you non-lawyers who have to live with lawyers, you know what it’s like when even a discussion on what to have for dinner turns into a deposition --- and Anita has put up with that.

And let me thank the President for appointing me last July along with my soon-to-be colleague Allison Clements, and – just to state the obvious – that appointment with mine made it much easier to get Senate confirmation.

There are several other at the federal level I want to thank – at FERC, at the Senate Energy committee -- but today I want the focus to be on Virginia.

I want to thank Governor George Allen, who gave me my first job in Virginia government more than 25 years ago.

I want to thank Speaker of the House Bill Howell, who first urged me to be a candidate for this Commission.

When I took office back in 2004, I was sworn in by Judge Steve Agee, who was then Justice Steve Agee of the Virginia Supreme Court, who will swear me in today to the FERC. He has been a friend of mine for close to 40 years.

Again in 2010, my second term, again in 2016, my third term. Today is the fourth time he will be swearing me in. So I asked him “when do I get the volume discount?”

He said there is no volume discount.

But thank you Steve for driving down here from Salem today.

And of course I want to thank all my former commissioners here at the SCC, and the SCC staff, and I’ll say more about the SCC and its staff in a moment, *but I want to recognize three here today:*

*Denise Meade*

*Allison Held*

*Allen Parker*

***Why We’re Here in the SCC Courtroom***

I said a moment ago I wanted today to be about Virginia.

We’re here because I wanted this event to be a celebration, NOT of me, but a celebration of the Virginia State Corporation Commission and all the wonderful, dedicated public servants who have worked here with me over the past 17 years.

I said at my Senate hearing that my appointment was not a personal recognition of me, but of the Virginia State Corporation Commission and its national stature and national respect that all of us here have earned over the many years the SCC has served Virginia’s public.

The reason I have so enjoyed this Commission, and am so sad to leave, is our ***culture.*** The culture of the SCC is consists of the following three primary elements:

1. *Independence* – I was asked at my Senate hearing if I would respect the independence of FERC. I said absolutely, because I have spent 17 years respecting and defending the independence of the Virginia State Corporation Commission. Like FERC, the Va. SCC respects --but does not work for -- the executive branch, we are independent and our job is to defend the public interest, not enact the policy agendas of any Governor or any single member of the legislature.

And because we’re independent we hire professionals without regard to politics and we then we let our staff be professionals. We never tell them to make findings or take positions in cases to serve some political or special-interest agenda.

*And because we’re independent, we’re non-partisan*. As a corollary to professionalism, I said at my Senate hearing the SCC is *not bipartisan, it is non-partisan*, and that is a major difference. At the SCC we check partisan affiliations at the door.

1. *Commitment to law*. Even though we’re independent, we are committed to following the laws enacted by those elected by the voters. (even when we might think those laws are, to put it charitably, not a great idea). But *every* administrative agency has to follow the law whether we like that law or not.
2. The third element is what I love most about this Commission. That is that we have a *culture of honesty*, of *telling the truth*. And that’s not just an empty cliché. George Orwell is credited with saying, “In a time of universal deceit telling the truth is a revolutionary act.” And by Orwell’s standard, this Commission has been revolutionary while following the law (which some would say is a paradox, but not for this Commission).

Orwell was writing well over a half-century ago, but the roots of the flight from truth go back even further. Nietzsche argued just before the dawn of the 20th century that truth was just a subjective construct and every person constructs his own truth. Well, Nietzsche was not a trial lawyer (or a judge) and I don’t know whether he knew the difference between a fact witness and an expert witness, but facts are *not* subjective constructs made up by each person. Facts are provable. As Senator Daniel Patrick Moynihan once said on the Senate floor, “You are entitled to your own opinions, but not to your own facts.”

And here at *this* Commission, for the past 17 years we have been dedicated to putting out the *facts* without fear or favor. I have repeatedly said to our SCC staff that while the General Assembly can pass laws that dictate the outcome of cases, it can *never* take away our willingness to *tell the truth* about the real costs and real impacts of laws on those Virginians who have to pay the bills, the residential consumers, the businesses, small and large, and on the impact on Virginia’s economy as a whole, which means jobs. *And here at the Virginia SCC we have told the truth consistently:*

* In every order.
* In every report to the General Assembly and Governor, without regard to which party was in control, we have told the truth about the real costs of laws and policies to consumers and Virginia’s economy.
* In testimony to GA committees when they were considering legislation, we directed our staff to give the unvarnished truth about what that proposed legislation would cost consumers and how it would impact our economy. And we told them to tell the truth without regard to whether the truth contradicted the narratives being pushed by the special interests.

So for 17 years we have put out the facts – we have told the truths based on those facts -- *and more than anything I am proud of that.*

Ken Schrad, our director of public information, had a great line, and I wish it were mine, but I can’t plagiarize.

*So here is Ken’s line: “When you come to the Va. SCC, you better bring facts, not press releases” –* and I would add, not political or ideological narratives, and not so-called studies that through an amazing coincidence always seem to line up exactly with the monetary interests of the groups who paid for the studies.

And I fervently hope – not only as a soon-to-be former SCC commissioner, but as a citizen of Virginia -- that long after I’ve gone, this Commission will continue to be *both independent and honest* in its defense of the public interest.

As a regulator we can never forget that on every case there are many people in the public who aren’t represented by lawyers in this courtroom, and they depend on this independent commission to protect their interest. And I will take this lesson to FERC as well.

The worst thing about COVID is that I would have loved to have gone through each one of our 11 floors here at the SCC and personally thanked our staff in each division, but COVID makes that impossible.

Now to all the staff here at the SCC, past and present, who have served with me, and to my fellow commissioners, past and present, I say thank you for 17 wonderful years!

*Goodbye and I’ll see you on the trail ahead!*

And now I’ll turn the gavel over to my friend and successor as chair, Judy Jagdmann.