

1 BEFORE THE ARIZONA POWER PLANT

LS-309

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4	IN THE MATTER OF THE APPLICATION	) DOCKET NO.
5	OF AURORA SOLAR LLC IN CONFORMANCE	) L-21254A-23-0184-
6	WITH THE REQUIREMENTS OF ARIZONA	) 00222
7	REVISED STATUTES §§ 40-360, ET	)
8	SEQ., FOR A CERTIFICATE OF	) CASE NO. 222
9	ENVIRONMENTAL COMPATIBILITY	)
10	AUTHORIZING THE OBED MEADOW	)
11	230-KV GENERATION TIE-LINE	)
12	PROJECT, WHICH INCLUDES THE	)
13	CONSTRUCTION OF A SUBSTATION	)
	AND GENERATION TIE-LINE	)
	ORIGINATING APPROXIMATELY 2.4	)
	MILES SOUTHWEST OF THE APS	)
	CHOLLA SUBSTATION ON PRIVATE	)
	LAND UNDER THE JURISDICTION OF	)
	NAVAJO COUNTY, ARIZONA, AND	)
	TERMINATING IN THE APS CHOLLA	)
	SUBSTATION IN NAVAJO COUNTY,	) PREFILING
	ARIZONA.	) CONFERENCE
	_____	)

14 At: Phoenix, Arizona

15 Date: June 15, 2023

16 Filed: July 3, 2023

17

18 REPORTER'S TRANSCRIPT OF PROCEEDINGS

19 (Pages 1 through 20)

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21

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INDEX TO EXHIBITS

NO.	DESCRIPTION	IDENTIFIED
1	Map entitled "Figure 2 Project Area"	5
2	Notice of Public Hearing	6
3	Map entitled "Public Notice Sign Locations"	6

1           BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before the  
3 Arizona Corporation Commission, 1200 West Washington  
4 Street, Phoenix, Arizona, commencing at 3:00 p.m. on  
5 June 15, 2023. All parties attended via teleconference.

6

7 BEFORE:     ADAM STAFFORD, Chairman

8

9 APPEARANCES:

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For the Applicant:

11

CROCKETT LAW GROUP, PLLC  
By: Jeffrey Webb Crockett  
2198 Camelback Road, Suite 305  
Phoenix, Arizona 85016

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Also Present:

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Trey Hadley, Avangrid Renewables  
Tyler Hoffbuhr, Avangrid Renewables  
Justin Miner, Tetra Tech  
Tod Brewer, Assistant to Chairman Stafford  
Lisa Glennie, Glennie Reporting Services, LLC

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1 CHMN STAFFORD: Let's go on the record. Now is  
2 the time set for the prefiling conference for the Obed  
3 Metals projects. Let's take appearances.

4 MR. CROCKETT: Good afternoon, Chairman  
5 Stafford. I am Jeff Crockett of Crockett Law Group,  
6 PLLC. I am representing the applicant or potential  
7 applicant in this case, which is Aurora Solar, LLC.  
8 That's a subsidiary of Avangrid Renewables. And I'll  
9 just quickly make some introductions. We have on the  
10 screen here Trey Hadley and Tyler Hoffbuhr, who are with  
11 Avangrid, Justin Miner is the consultant on this case,  
12 and his colleague is Krista Dearing, who may or may not  
13 join us here.

14 CHMN STAFFORD: All right. So have you  
15 identified any potential intervenors?

16 MR. CROCKETT: No, we have not. I have provided  
17 information on the application to APS. We will be  
18 connecting into the APS Cholla Substation outside of  
19 Joseph City in Navajo County. So they are -- I've  
20 provided them notice. I don't know whether or not they  
21 will be intervening, but we'll certainly update you on  
22 that. Beyond that, we don't anticipate any intervenors.

23 CHMN STAFFORD: There hasn't been much interest  
24 from the public, then?

25 MR. CROCKETT: No, there hasn't. And at the

1 appropriate time I'll give you a little bit more  
2 background on the project.

3 CHMN STAFFORD: Okay. So you've notified each  
4 of the parties they could appear in person or by  
5 telephone?

6 MR. CROCKETT: Well, we certainly will ahead of  
7 the prehearing conference and the hearing. We  
8 don't -- we haven't really identified any interested  
9 parties. This project will be constructed entirely on  
10 private land. And there's two pieces of this, one on  
11 private land and one that will actually be inside the  
12 fence at the APS Substation.

13 CHMN STAFFORD: Okay.

14 MR. CROCKETT: And we have a landowner that is  
15 obviously supportive of this, so we don't -- we don't  
16 anticipate anyone else being involved.

17 CHMN STAFFORD: All right. And we have --  
18 you've provided three documents --

19 MR. CROCKETT: Yes.

20 CHMN STAFFORD: -- exhibits. Let's admit those.

21 (Exhibits 1 through 3 were admitted into  
22 evidence.)

23 MR. CROCKETT: Yes, there's Prefiling 1, 2, and  
24 3. Prefiling 1 is a map of the project. It shows the  
25 project itself and the proposed gen-tie route. Prefiling

1 Number 2 is the notice that we would post on the signs.  
2 And then Prefiling 3 is a map that shows the locations  
3 where we would propose to post the signs.

4 CHMN STAFFORD: Excellent.

5 MR. CROCKETT: So would you like me to show you  
6 the project and just briefly give you a little lay of the  
7 land?

8 CHMN STAFFORD: Yes.

9 MR. CROCKETT: So, Tyler, if you could put up  
10 Prefiling 1.

11 MR. MINER: I can do that as well, if you would  
12 like me to, Jeff.

13 MR. CROCKETT: Oh, I'm sorry, I said "Tyler," I  
14 meant -- I was looking at Justin and I said "Tyler."

15 MR. MINER: Yeah, no problem. I've got that.  
16 Yeah, absolutely.

17 Are you able to see my screen?

18 MR. CROCKETT: Not yet.

19 MR. MINER: Oh, I'm sorry. I'm not very  
20 familiar with Zoom. I'm much more familiar with Teams.

21 MR. CROCKETT: Okay. There we go.

22 MR. MINER: Okay. Excellent.

23 MR. CROCKETT: So Chairman Stafford, this --  
24 this project, which we call Obed Meadow, is a  
25 photovoltaic power plant, it's 200 -- let me grab my

1 notes -- we're talking --

2 MR. MINER: 200-megawatt, yes.

3 MR. CROCKETT: -- 200-megawatts with potentially  
4 200-megawatts of storage on-site. Do you see the project  
5 outlined in yellow? It's actually in two pieces that are  
6 interconnected with a lower voltage line that is not  
7 jurisdictional, so we don't need a CEC for the piece --  
8 the yellow line that connects the two pieces of property,  
9 but we're proposing a 230kV gen-tie that would run east  
10 from the project, and then northeast into the Cholla  
11 Substation.

12 So there's 2.54 miles of gen-tie that are  
13 outside the substation, and then when we get to the  
14 substation boundary, there is about a quarter of a mile  
15 that is inside the fence line to the APS Substation. So  
16 what we will be requesting is two CECs, one that will be  
17 retained by Aurora Solar, and the other that will be  
18 transferred to APS for the portion of the gen-tie located  
19 inside the substation -- well, inside the project  
20 boundary.

21 And, of course, you can see on the map that  
22 there's -- there's a triangular piece that's to the  
23 south, that's land that is owned by APS -- thank you,  
24 Justin -- and then the Cholla Power Plant, which is a  
25 coal fire power plant, and Cholla Substation are that

1 large project there north of the triangle.

2 And, as you can see, this -- this is south of  
3 Joseph City, it is entirely in unincorporated Navajo  
4 County, outside the city limits of Joseph City. There is  
5 another project, which is the Hashknife Energy Center  
6 project. The Line Siting Committee approved CECs for  
7 that project in January of 2021. It is adjacent to our  
8 project. It's the same landowner that is providing the  
9 land for both their project and our project. That  
10 project has not yet commenced construction, but, like I  
11 said, it is -- it is kind of wrapped around or adjacent  
12 to the Obed Meadow project.

13 So there's already been a proceeding in this  
14 area with CECs issued, much like what we're proposing,  
15 they -- they had two CECs, one for the portion that would  
16 be owned by Hashknife and one for the part that's inside  
17 the APS fence line, connecting to the APS substation.

18 So I think those are the high points on the  
19 project itself. I'm happy to answer any questions you  
20 may have.

21 CHMN STAFFORD: Okay. So the only affected  
22 jurisdiction is going to be Navajo County?

23 MR. CROCKETT: Correct. Well, and there are --  
24 there are BNSF railroad tracks that are running from the  
25 southeast to the northwest -- there we go -- where the



1 cursor is showing, so we will need to get permission from  
2 BNSF to cross the right of way there. But there are  
3 already other power lines crossing the right of way, so  
4 we don't anticipate that being an issue.

5 I will point out that while we have a specific  
6 easement for the gen-tie that we've negotiated with the  
7 landowner that is outside of the APS property, we don't  
8 have -- we don't have anything locked down from -- with  
9 APS regarding getting from the point where we cross their  
10 property line to the substation, which is, like I said, a  
11 quarter of a mile inside the property line. So we're  
12 going to propose a corridor around the substation, much  
13 like we did in the recent Belmont case that. Again,  
14 won't be an exclusive right, but it will give us  
15 flexibility to work with APS to determine the best path  
16 into the substation.

17 And I'll just point -- one other thing that may  
18 be of interest to you, because you've been involved in  
19 the renewable space for quite a while, but, as you know,  
20 the units at Cholla, the coal-fired units are being shut  
21 down. And so this -- in fact, my understanding is  
22 PacifiCorp has already -- or is it PacifiCorp that had  
23 the third unit -- in any event, the third unit has  
24 already closed down and then the other two are slated to  
25 be shut down. So this -- these two renewable projects,

1 the Obed Meadow and the Hashknife, are actually going  
2 to -- they're going to utilize capacity at that Cholla  
3 Substation that will become available because the  
4 coal-fired generation is going to go away. So this  
5 project is actually, you know, necessary or needed in the  
6 area.

7 CHMN STAFFORD: Okay. And then the next exhibit  
8 is the Notice --

9 MR. CROCKETT: So -- so this is the Notice that  
10 we would post on the sign. As you can see, the diagram  
11 to the left shows the project, and then the proposed  
12 gen-tie route and corridor, so we're going to -- we've  
13 got a 200-foot-wide right-of-way, but we're going to ask  
14 for a corridor of a thousand feet wide, in which to run  
15 that gen-tie.

16 And then the diagram to the right side, that is  
17 showing -- you can see where the gen-tie on private land  
18 comes up to the APS property. The APS property around  
19 the substation is shaded in gray, the lighter gray.  
20 That's the -- that's the corridor that we're going to  
21 request around the APS substation. We don't know if  
22 we'll be able to continue that gen-tie straight northeast  
23 into the substation or if APS is going to want it to run  
24 straight north and then come in from the west to the  
25 substation. That's still to be determined.

1 CHMN STAFFORD: Okay.

2 MR. CROCKETT: And then the third, as long as  
3 we're on these, Justin, if you can move us up to the  
4 third. And, Justin, is it possible to enlarge this on  
5 the screen a little bit?

6 MR. MINER: You're asking difficult questions.  
7 I'm looking at Word, I'm sorry.

8 MR. CROCKETT: Okay. You know what, I think  
9 we're --

10 MR. MINER: We can try this.

11 MR. CROCKETT: We'll see. Oh, much better.

12 MR. MINER: Is that better?

13 MR. CROCKETT: It is.

14 So, Chairman Stafford, if you look kind of in  
15 the center of the image, you'll see a road, Obed Road,  
16 that is a road that runs north and south. Our project  
17 substation is to the west, the green box that you see,  
18 and that is all private land. So we're proposing two  
19 sign locations, one that would be as you're driving south  
20 on Obed Road, one as you're driving north. Then as you  
21 go west, I'm sorry, as you go east into the APS  
22 substation, again, that's all on -- that's all on private  
23 land, and you see -- what you see, the wash there is  
24 actually the Little Colorado River that runs -- yeah,  
25 kind of snakes along. So there isn't -- you know, unless

1 you were to be on an ATV on private land, there wouldn't  
2 be any way to get back into that area.

3 So, again, we think that the two signs that  
4 we're proposing will provide notice to anyone  
5 that -- that travels around that area.

6 CHMN STAFFORD: All right. And then  
7 what -- what paper are you going to publish in for the  
8 notification?

9 MR. MINER: That is -- yeah, I'm sorry, Jeff, I  
10 know I didn't give this to you earlier -- it's the  
11 Tribune of Holbrook.

12 MR. CROCKETT: So we'll need to publish twice in  
13 the Tribune of Holbrook.

14 CHMN STAFFORD: Is that weekly or daily?

15 MR. MINER: It's biweekly.

16 CHMN STAFFORD: Biweekly.

17 MR. MINER: Yeah, twice a week.

18 CHMN STAFFORD: Okay. All right. So you'll  
19 send us the draft Notice of Hearing in Word?

20 MR. CROCKETT: Yes, we will. We're working on  
21 that. And I think we'll follow the same format that we  
22 used in the Belmont case that we did recently.

23 CHMN STAFFORD: Okay.

24 Now, the hearing's going to be in Flagstaff?

25 MR. CROCKETT: It is. It's going to be at the

1 Little America, and I -- have you stayed there before?

2 CHMN STAFFORD: Yes, I have.

3 MR. CROCKETT: I think that will be absolutely a  
4 wonderful place to have a hearing in August in Arizona.

5 CHMN STAFFORD: Yes, it will be good to get out  
6 of the Valley, that's for sure.

7 MR. CROCKETT: I told my client that typically  
8 we have a number of people that attend virtually, but we  
9 may actually have more committee members attending in  
10 person at this hearing.

11 CHMN STAFFORD: All right. So you'll have  
12 lodging set for them?

13 MR. CROCKETT: We do. We've already made  
14 arrangements with Little America, and I'll provide  
15 information to Tod as we have a little bit more. At the  
16 present time we've reserved 15 hotel rooms there. And we  
17 can increase that number, if we need to.

18 We've got a large conference room for the  
19 hearing, two smaller conference rooms for the breakout.  
20 And we've arranged for lunch on Monday, breakfast and  
21 lunch on Tuesday, Wednesday. And, Justin, did we also do  
22 Thursday?

23 MR. MINER: Yes. We've extended the reservation  
24 through Thursday, and -- which would mean, you know,  
25 checkout could be Friday morning for the rooms.

1 CHMN STAFFORD: Okay. And so the hearing's  
2 going to be -- the dates we're looking at are August 7th  
3 through the 10th, right?

4 MR. CROCKETT: Correct.

5 CHMN STAFFORD: Okay.

6 MR. CROCKETT: But we -- Chairman Stafford, I  
7 expect that this will go quickly, like some of the recent  
8 ones, I would expect that we'll be done by the middle of  
9 the day on Tuesday, probably.

10 CHMN STAFFORD: Unless we do a tour?

11 MR. CROCKETT: Well, unless we do a tour.

12 CHMN STAFFORD: We'll see what the pleasure of  
13 the committee is. But just make sure you have a plan  
14 ready to go for -- by the prehearing conference. And so  
15 if we do a tour, it will be that Tuesday morning.

16 MR. CROCKETT: Right. We will plan to submit an  
17 itinerary and a map of tour stops.

18 And, Justin or Tyler or Trey, how far is it to  
19 get to the project location from the Little America in  
20 Flagstaff? Do you have an estimate?

21 MR. MINER: It's only about an hour.

22 MR. CROCKETT: Hour drive.

23 MR. MINER: From -- from Flagstaff, yes. Hour,  
24 hour and 15, something along those lines.

25 MR. CROCKETT: All right. So, Chairman

1     Stafford, I assume that if we did a physical tour, we'd  
2     be looking at about a four-hour roundtrip.

3             CHMN STAFFORD:    Yeah.

4             MR. CROCKETT:    We will be presenting a virtual  
5     tour, which I believe will be adequate to, you know, show  
6     the committee members really in pretty good detail what  
7     we're talking about here.    But certainly we will be  
8     prepared to do a physical tour if the committee votes to  
9     do that.

10            CHMN STAFFORD:    Okay.    And, Tod, what are we  
11     setting the prehearing conference date at?

12            MR. BREWER:    Mr. Chairman, we have this  
13     scheduled for July the 31st at 3:00 p.m.

14            CHMN STAFFORD:    Excellent.

15            All right.    So what date do you anticipate  
16     filing the application?

17            MR. CROCKETT:    We will file the application a  
18     week from tomorrow, on Friday, June 23rd.

19            CHMN STAFFORD:    All right.    And so you -- the  
20     same thing for this one, we'll do the -- when you provide  
21     the draft CEC, I guess it will be two draft CECs, and  
22     then with the conditions listing what the previous CEC  
23     they adopted contained.

24            MR. CROCKETT:    We will do that.

25            CHMN STAFFORD:    Yes.    We'll do public comment,

1 we have it set for 5:30 that evening.

2 Okay. Do you know if any public officials will  
3 be participating in this?

4 MR. CROCKETT: I will ask either Tyler or Trey  
5 or Justin, are you aware of any public officials that  
6 would be interested in attending to make public comment?

7 MR. HOFFBUHR: Not that I'm aware of, no. I  
8 mean, based on how the County permitting process went, it  
9 was pretty uncontentious overall. Not a lot of feedback  
10 or input.

11 MR. CROCKETT: Yeah, Chairman Stafford, that's a  
12 good point. They have been -- they have obtained a  
13 special use permit for this project, so that went through  
14 the County process. So they've been aware of this  
15 project for some time now.

16 CHMN STAFFORD: All right. So you've already  
17 received a special use permit, then?

18 MR. MINER: That's correct. Yeah, we received  
19 it on September 13th.

20 CHMN STAFFORD: All right. So for the hearing  
21 itself, I assume we'll have the same AV team that sets it  
22 all up and have access to Zoom for people to remote in  
23 and for -- and have all the exhibits available on the  
24 tablets for the members?

25 MR. CROCKETT: Yes, that's Peak Audio, and



1 that's who we're using, and we will follow the same  
2 protocol as we have in other hearings.

3 CHMN STAFFORD: So we need only two hard copies  
4 of the exhibits, one for me and one for the court  
5 reporter.

6 MR. CROCKETT: Okay.

7 CHMN STAFFORD: And what was the filing fee for  
8 this one?

9 MR. CROCKETT: \$1,000.

10 CHMN STAFFORD: Okay. So, as you know, the  
11 Commission's obligated by the statute to pay the costs of  
12 transcribing and reporting the hearing, as well as the  
13 actual necessary expenses of the members in connection  
14 with the participation. They often run over that, so --

15 MR. CROCKETT: Yeah, we -- we will do that. And  
16 we will -- I've already got a phone call in to Nancy  
17 Lawrence at the Commission to make arrangements with the  
18 business office for the financial arrangements.

19 CHMN STAFFORD: To replenish the fund with --  
20 it's supposed to cover the costs, but it never seems to  
21 quite make it.

22 MR. CROCKETT: It's in 1972 dollars.

23 CHMN STAFFORD: Yes, exactly. Yeah, a thousand  
24 dollars -- I think we did the math, looked it up one  
25 time, Tod and I did it, I think in '71 when the statute

1 was passed to today's dollars is about \$7,800, so it's  
2 quite the difference.

3 All right. So then we'll have the transcripts  
4 from the hearing three days after, and then --

5 MR. CROCKETT: Yes.

6 CHMN STAFFORD: -- are there any other issues or  
7 concerns that we need to address?

8 MR. CROCKETT: Let me look quickly at my notes.

9 You know, one thing I wanted to talk to you  
10 about, in terms of the affected jurisdictions, certainly  
11 Navajo County is one. We're sort of throwing BNSF  
12 Railroad into that bucket, because we cross their  
13 right-of-way. It's not entirely clear to me from the  
14 statute whether they are, in fact, an affected  
15 jurisdiction. But do you have an opinion on that?

16 CHMN STAFFORD: I think they're not, but it  
17 doesn't hurt to make sure they're aware of it, because  
18 you are going to have to get permission to cross their  
19 tracks, though, so --

20 MR. CROCKETT: So if you're okay with that, I  
21 think we'll have one affected jurisdiction, which is  
22 Navajo County, but we'll make sure that BNSF is aware of  
23 the application.

24 CHMN STAFFORD: Okay. Excellent.

25 MR. CROCKETT: And, let's see, that's -- that's

1 all I had on my list, Chairman Stafford.

2 CHMN STAFFORD: All right. I think that's  
3 everything on my list as well.

4 Tod, is there anything else?

5 MR. BREWER: No, Mr. Chairman. Thank you.

6 CHMN STAFFORD: All right. Well, thank you very  
7 much, Jeff. I look forward to having a hearing outside  
8 of Phoenix in August.

9 MR. CROCKETT: Yeah, I'm looking forward to that  
10 myself. This will be a little better than the Hilton  
11 Inn & Suites in Avondale.

12 CHMN STAFFORD: Yes, indeed, it will.

13 MR. CROCKETT: All right. Well, thank you very  
14 much.

15 CHMN STAFFORD: Okay. With that, we are  
16 adjourned.

17 MR. CROCKETT: Thanks, everyone.

18 (The hearing concluded at 3:22 p.m.)

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1 STATE OF ARIZONA )  
COUNTY OF MARICOPA )

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4 BE IT KNOWN that the foregoing proceedings were  
5 taken before me; that the foregoing pages are a full,  
6 true, and accurate record of the proceedings all done to  
the best of my skill and ability; that the proceedings  
were taken down by me in shorthand and thereafter reduced  
to print under my direction.

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8 I CERTIFY that I am in no way related to any of  
the parties hereto nor am I in any way interested in the  
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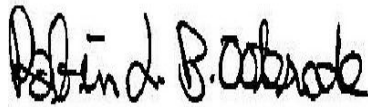
9

10 I CERTIFY that I have complied with the ethical  
11 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206  
(J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this  
2nd day of July, 2023.

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14

ROBIN L. B. OSTERODE, RPR  
CA CSR No. 7750  
AZ CR No. 50695

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19 I CERTIFY that Glennie Reporting Services, LLC,  
has complied with the ethical obligations set forth in  
ACJA 7-206(J)(1)(g)(1) through (6).

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GLENNIE REPORTING SERVICES, LLC  
Registered Reporting Firm  
Arizona RRF No. R1035

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