

1 BEFORE THE ARIZONA POWER PLANT LS-313

2 AND TRANSMISSION LINE SITING COMMITTEE

3 IN THE MATTER OF THE APPLICATION) DOCKET NO.
 4 OF AURORA SOLAR LLC IN CONFORMANCE) L-21254A-23-0184-
 5 WITH THE REQUIREMENTS OF ARIZONA) 00222
 6 REVISED STATUTES §§ 40-360, ET)
 7 SEQ., FOR A CERTIFICATE OF) CASE NO. 222
 8 ENVIRONMENTAL COMPATIBILITY)
 9 AUTHORIZING THE OBED MEADOW)
 10 230-KV GENERATION TIE-LINE)
 11 PROJECT, WHICH INCLUDES THE)
 12 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,) PREHEARING
 ARIZONA.) CONFERENCE
)

13
 14 At: Phoenix, Arizona
 15 Date: July 31, 2023
 16 Filed: August 1, 2023

17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18 (Pages 1 through 19)

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INDEX TO EXHIBITS

NO.	DESCRIPTION	IDENTIFIED
1	Document entitled "Obed Meadow Solar and Gen-Tie Project CEC Hearing Route Tour Itinerary"; 3 pages	10

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 July
5 31, 2023. All parties attended via teleconference.

6

7 BEFORE: ADAM STAFFORD, Chairman

8

9 APPEARANCES:

10 For the Applicant:

11 CROCKETT LAW GROUP, PLLC
12 By: Jeffrey Webb Crockett
13 2198 Camelback Road, Suite 305
14 Phoenix, Arizona 85016

15 Also Present:

16 Jeffrey Durocher, Avangrid Renewables
17 Trey Hadley, Avangrid Renewables
18 Tyler Hoffbuhr, Avangrid Renewables
19 Justin Miner, Tetra Tech
20 Tod Brewer, Assistant to Chairman Stafford

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1 CHMN STAFFORD: Let's go on the record.
2 Now is the time set for the prehearing
3 conference for CEC 222, Aurora Solar Obed Meadow Gen-Tie
4 Project. I'll take appearances, please.

5 MR. CROCKETT: My name is Jeff Crockett.
6 I'm here representing the applicant Aurora Solar, LLC;
7 and with me on the call are Tyler Hoffbuhr and Trey
8 Hadley, who are with Aurora Solar, and Justin Miner --
9 sorry, Miner -- who is our consultant on this project.

10 CHMN STAFFORD: I see a Jeffrey Durocher as
11 well on the line.

12 MR. DUROCHER: Yes, I'm here with the
13 applicant as well.

14 CHMN STAFFORD: Okay. Thank you.

15 So let's go through the list here. You
16 have made lodging arrangements for the committee members
17 for the Great America.

18 MR. CROCKETT: Little America. Yes, we
19 have. I think we're all set on that. And, Justin, I
20 think -- have we now heard back from everyone?

21 MR. MINER: Everyone except Member Richins.
22 I do not have him confirmed as in person, but I do have a
23 room reserved for him.

24 CHMN STAFFORD: Okay. I haven't seen any
25 requests to intervene.

1 MR. CROCKETT: There have been none filed
2 in the docket nor have I had anyone reach out to me that
3 they intend to intervene.

4 CHMN STAFFORD: Okay.

5 MR. CROCKETT: I did -- by the way,
6 Chairman, I did talk to Linda Benally at APS back
7 before -- about the time we filed the application, and
8 she indicated that APS probably would not be intervening
9 in the case or participating.

10 CHMN STAFFORD: Okay. Now, you agree the
11 time limit is, for the committee to act, is December 20th
12 of 2023; that's the correct time frame under the statute,
13 correct?

14 MR. CROCKETT: Yes, we agree.

15 CHMN STAFFORD: Okay. And I see you filed
16 your notices to the affected jurisdictions.

17 MR. CROCKETT: Yes. We sent certified mail
18 to the five members of the Navajo County Board of
19 Supervisors and the clerk. That is the one affected
20 jurisdiction in this proceeding.

21 CHMN STAFFORD: Correct. You've also
22 published in the Tribune of Holbrook, Snowflake/Taylor,
23 and Winslow.

24 MR. CROCKETT: Correct. We did that on two
25 consecutive Wednesdays.

1 CHMN STAFFORD: What about the sign
2 postings? I didn't see anything you filed having to do
3 with the posting of the signs.

4 MR. CROCKETT: Yes, the signs -- the signs
5 were posted on, I believe, July the 17th. Justin can
6 correct me if I'm wrong on that.

7 MR. MINER: It was the morning of the 18th
8 that they were installed.

9 MR. CROCKETT: Okay. Morning of the 18th,
10 there were signs at two locations along Obed Road and
11 they -- they have been up since that time.

12 CHMN STAFFORD: All right. Okay. All
13 right. So the notices have been complied with.

14 Do you have -- have you reviewed the
15 agenda? Do you have any objections or additions?

16 MR. CROCKETT: No, it looks like the
17 standard agenda for a line siting case.

18 CHMN STAFFORD: Okay. All right. And the
19 hearing, we're all set to go on Monday, the 7th, correct?

20 MR. CROCKETT: Yes.

21 CHMN STAFFORD: And how long -- you
22 anticipate being done by Tuesday or Wednesday?

23 MR. CROCKETT: I expect we'll be done on
24 Tuesday, assuming that we don't take a tour. If you've
25 had a chance to look at the itinerary, it's about a

1 four-hour roundtrip. And so if we do that, that would
2 be, I would assume, Tuesday morning. Even at that, we
3 probably -- I expect that we would get to the drafting of
4 the CEC in the afternoon, and probably would wrap up
5 on -- on Tuesday. We haven't -- we've had very --

6 MR. MINER: Jeff -- Jeff, can I interject?

7 MR. CROCKETT: Please.

8 MR. MINER: I have the tour bus scheduled
9 for Wednesday morning at 9:00 a.m. Do you want me to
10 change that to Tuesday morning at 9:00 a.m. as their
11 tentative date?

12 MR. CROCKETT: I -- I believe we should do
13 that.

14 Chairman Stafford, do you agree?

15 CHMN STAFFORD: Yes, because if we're going
16 to do a tour, we'll most likely do it that Tuesday. We
17 don't want to hang around until Wednesday to take a tour
18 if everything else would be done by that date.

19 MR. MINER: My apologies. I'll do the best
20 I can to get that reservation changed to Tuesday.

21 CHMN STAFFORD: Well, I'm -- please do, but
22 I'm inclined not to do a tour. Even how it's already in
23 a pretty developed area in terms of transmission lines,
24 the Cholla plant's right there, and it's like 78 miles
25 from the view points to the hotel where we'll be having

1 the hearing, so -- yeah, I mean, we'll leave it to the
2 will of the committee. But I'm inclined to say a tour
3 will not be necessary.

4 Again, once we see the virtual tour you
5 present, we'll make that call. But just because of the
6 sheer time -- the time frame for four hours, it seems
7 pretty lengthy.

8 Now, you'll have sign-in forms, I assume,
9 for public comment --

10 MR. CROCKETT: Yes.

11 CHMN STAFFORD: -- if anyone shows up?

12 MR. CROCKETT: We will.

13 CHMN STAFFORD: Now, on those forms do you
14 have a -- I'd ask to make sure it has a "Check this box
15 if you wish to speak," because sometimes people will sign
16 in and not wish to speak.

17 MR. CROCKETT: We -- we actually haven't
18 drafted the form yet, but we'll make sure that we've
19 got -- it will be name, address, contact information,
20 like an e-mail, and then a box to check if they would
21 like to speak.

22 CHMN STAFFORD: Okay. Fair. Yeah, because
23 I've had that happen before where they didn't have that
24 box, and I started calling people and they did not intend
25 to speak.

1 All right. There won't be any need for
2 security at the hearing, I assume?

3 MR. CROCKETT: We don't believe so. We did
4 have one or two snarky comments that came in that you'll
5 see in the summary of public outreach efforts, but I -- I
6 don't think -- I don't see any need for security.

7 CHMN STAFFORD: Okay. You'll have the
8 public comment session at 5:30 on Monday. And then
9 you'll have a virtual tour, correct, to put on?

10 MR. CROCKETT: Correct. We'll have a
11 virtual tour similar to others that you've seen in line
12 siting cases.

13 CHMN STAFFORD: Okay. And I think we said
14 at prefiling that you'd have the same AV company and WiFi
15 and presentation materials will all be ready to be put
16 on?

17 MR. CROCKETT: That's correct. It's Peak
18 Audio. And Flagstaff is actually their home base, so
19 they're -- they're happy to be doing one locally.

20 CHMN STAFFORD: Yeah, that will be nice.

21 Okay. Now, compliance with procedural
22 order, you filed that Friday, didn't you?

23 MR. CROCKETT: Well, we filed it first
24 thing this morning.

25 CHMN STAFFORD: This morning.

1 MR. CROCKETT: So what we filed this
2 morning were copies of the witness summaries for our four
3 witnesses that will testify as a panel. We submitted the
4 two draft CECs. There's a CEC-1 and CEC-2. CEC-2 will
5 cover that part of the gen-tie we located on APS
6 property, and it will be transferred to them when -- when
7 the construction of the line is complete.

8 CHMN STAFFORD: Okay.

9 MR. CROCKETT: Then the other things we
10 included were the route tour itinerary and map, and then
11 the summary of public outreach efforts, which will be
12 presented at the hearing as an exhibit.

13 CHMN STAFFORD: Okay. Now, for the naming
14 of the exhibits, do you want to -- what's your
15 preferred --

16 MR. CROCKETT: You know, the procedural
17 order said OM-1, OM-2, for Obed Meadow. That's fine with
18 us. That's the way we've named them up to this point.

19 CHMN STAFFORD: Okay.

20 All right. You've taken care of the
21 financial arrangements with the Commission?

22 MR. CROCKETT: Yes.

23 CHMN STAFFORD: All right. Okay. Now,
24 Staff's been notified, they filed their letter in the
25 docket, I want to say here --

1 MR. CROCKETT: It was filed Thursday.

2 CHMN STAFFORD: -- Thursday.

3 Yes. And I know that they said that they
4 have not received the System Impact Study; has that been
5 completed?

6 MR. CROCKETT: It has not. And, Chairman
7 Stafford, we provided a data response to Commission Staff
8 on this. Let me just read it to you, it's just one
9 paragraph, and then we can just discuss this briefly. It
10 says, "A System Impact Study is pending. Aurora Solar
11 filed an interconnection request with APS on March 26,
12 2020. The APS System Impact Study results were
13 originally scheduled for September 20, '22; however, APS
14 notified Aurora Solar in September 2022 that the System
15 Impact Study results would be delayed until March 20,
16 2023. Then Aurora Solar was notified by APS in
17 March 2023 that the results would be delayed until May
18 2023. In May 2023, Aurora was notified by APS that the
19 results would be delayed until September 2023."

20 So we've been working on getting the System
21 Impact Study done for quite a long time. Obviously,
22 Commission Staff has not made a finding on safety or
23 reliability, because they didn't have an impact study to
24 look at.

25 We -- what we intend to do is present some

1 evidence at the hearing on -- on this issue, and the fact
2 that, you know, we're -- we're replacing -- well, as you
3 know, the Cholla units are being -- are being shut down.
4 Some have already been shut down, the others are planned,
5 and so there will be availability capacity at that Cholla
6 Substation. So we're stepping in and taking advantage of
7 that capacity.

8 So it's really inconceivable that there
9 would be an issue by the time we get there with APS, but
10 it's out of our hands when that -- that interconnection
11 study will be done. And I think, as you're aware, I
12 think that they've been struggling to keep up with these
13 and it's not an isolated problem for Aurora.

14 CHMN STAFFORD: Okay. All right. You've
15 sent the draft CECs. I'm going to tell you now that you
16 have it labeled as CEC-1 and 2; I like to typically name
17 them CEC-222A and B.

18 MR. CROCKETT: Okay.

19 CHMN STAFFORD: So we can address that at
20 the hearing. I'm just giving you the heads up, that's
21 not the way I prefer to number them, so it's not CEC-1
22 of, you know -- so it's all right there in the title.

23 MR. CROCKETT: Yeah, that makes sense.

24 CHMN STAFFORD: Okay. And then what do you
25 plan to use for your Exhibit A, the maps for the CECs?

1 MR. CROCKETT: Well, those are attached to
2 what was docketed this morning. So there's -- there's
3 one map for the segment that would be covered under A and
4 a second map for the segment B. And, Chairman Stafford,
5 when you look at the map for B, it covers the entire --
6 basically the entire Cholla Substation property as a
7 corridor.

8 We don't know what APS's -- they -- because
9 they haven't finished their System Impact Study, they
10 haven't responded to us in terms of an alignment getting
11 into the substation, so we're going to need the
12 flexibility to move within that APS property to get into
13 the substation. So the CEC-1 corridor, we have already
14 secured the right-of-way for that from the landowner that
15 is providing the land where the solar project will be
16 located, so we know exactly where that's going to go.
17 It's a 150-foot right-of-way. We've asked for a
18 1000-foot corridor just in case something comes up that
19 we've got to shift the line to miss something.

20 But as far as the APS part, we still don't
21 know what that's going to look like, and so we're asking
22 for a corridor that's effectively the entire substation
23 property.

24 CHMN STAFFORD: Yeah, that makes sense. It
25 will allow APS to put it anywhere they need to inside the

1 fence line.

2 MR. CROCKETT: Right.

3 CHMN STAFFORD: So any location inside the
4 fence line, the margin of impact would be the same, I
5 would assume.

6 MR. CROCKETT: Well, and it's interesting,
7 I mean, this is a discussion for another day, but I was
8 kind of thinking about whether or not you even need a CEC
9 for the part of the line that's within the fence line on
10 APS's substation property. But anyway, we're -- that's
11 how we're handling it in this case.

12 CHMN STAFFORD: Yeah. Well, I mean, when
13 you look at the applications for the line, the entire
14 line would need a CEC, but, yeah, I think once it gets
15 inside the fence line, where it actually is positioned is
16 pretty flexible. It doesn't need to be -- I mean, they
17 could put it anywhere they want that best accommodates
18 their needs to --

19 MR. CROCKETT: Yeah, that's the way we look
20 at it too.

21 CHMN STAFFORD: All right. Permit status,
22 you already have the special use permit, but that's for
23 the --

24 MR. CROCKETT: That's for the site, the
25 solar site.

1 CHMN STAFFORD: That's for the site, but
2 there's not one required for the line itself?

3 MR. CROCKETT: I don't believe the line
4 requires any kind of county approval, does it? Can
5 someone from my team respond to that?

6 MR. MINER: Yeah, that is correct. There
7 is no special permit or special use permit required for
8 the line or the substation. They're a permitted use
9 under their current zoning.

10 CHMN STAFFORD: That's what I thought. I
11 just wanted to confirm. So you've already got the
12 special use permit at the site, I had that written down
13 from the first --

14 MR. CROCKETT: Yeah.

15 CHMN STAFFORD: -- and so, yeah.

16 And there's no NEPA process?

17 MR. CROCKETT: No NEPA process, correct.
18 We're going to need to cross the Burlington-Northern-
19 Santa Fe railroad lines, and we've got to work that out
20 with them. But I think that's it.

21 CHMN STAFFORD: That doesn't require any
22 federal permitting, or anything, does it?

23 MR. CROCKETT: I don't believe so, no.
24 Justin, is that true?

25 MR. MINER: That's true. It will be a line

1 right-of-way or line crossing permit with the railroad,
2 within the realty division.

3 The reason why we're waiting on that is it
4 is on APS property as well, so we don't know quite where
5 our line is crossing the railroad at this time.

6 CHMN STAFFORD: Okay. All right.

7 Now, for the committee members, you'll have
8 virtual notebooks on the tablet with all the exhibits and
9 everything for them, correct --

10 MR. CROCKETT: We will.

11 CHMN STAFFORD: -- applications, exhibits?

12 MR. CROCKETT: Yes.

13 CHMN STAFFORD: All right. Are there any
14 other issues? It seems like we've got everything -- all
15 our ducks in a row for this meeting to start on the 7th.

16 MR. CROCKETT: I think we do.

17 Chairman Stafford, the only -- the only
18 thing that popped into my head is, as I was getting ready
19 for this over the weekend, the hearing is being held at
20 the Little America, because that was the closest place
21 with suitable accommodations. But I realize Flagstaff is
22 in Coconino County, and our project is in Navajo County.
23 I don't think that's a problem. I noticed that in the
24 Upstream case that you had recently that was in Santa
25 Cruz, or not Santa Cruz, La Paz County, they held the

1 hearing in Maricopa County, because I think the same
2 applied, there wasn't accommodations within the county.

3 CHMN STAFFORD: Correct.

4 MR. CROCKETT: So I assume you're okay with
5 having it at the Little America?

6 CHMN STAFFORD: Yes. Yes. That's fine.

7 MR. CROCKETT: Okay.

8 CHMN STAFFORD: Okay.

9 MR. CROCKETT: We did have one or two
10 people who commented that were complaining a little bit
11 about having to go to Flagstaff for the hearing. But the
12 way we responded to that on social media was to make sure
13 people knew there was going to be a virtual connection
14 that they could both watch the hearing and also make
15 public comment without having to drive to Flagstaff.

16 CHMN STAFFORD: Yes, a good use of modern
17 technology.

18 MR. CROCKETT: Yes.

19 CHMN STAFFORD: Great.

20 All right. Well, that's all I have.

21 Tod, is there anything else we need to
22 cover?

23 MR. BREWER: I don't believe so,
24 Mr. Chairman. Thank you.

25 CHMN STAFFORD: Mr. Crockett, any final

1 thoughts?

2 MR. CROCKETT: No, other than I'm actually
3 looking forward to being in Flagstaff in August and not
4 out at the Avondale, you know, Garden Inn & Suites or
5 something, so this is great.

6 CHMN STAFFORD: I agree. I agree.

7 With that, we shall conclude our prehearing
8 conference. We are adjourned. Thank you.

9 MR. CROCKETT: Thank you.

10 (The hearing concluded at 3:19 p.m.)

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1 STATE OF ARIZONA)
COUNTY OF MARICOPA)

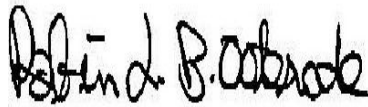
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10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206
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11 1st day of August, 2023.

12



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ROBIN L. B. OSTERODE, RPR
CA CSR No. 7750
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