

1 BEFORE THE ARIZONA POWER PLANT LS-314

2 AND TRANSMISSION LINE SITING COMMITTEE

3

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

15 At: Flagstaff, Arizona

16 Date: August 7, 2023

17 Filed: August 14, 2023

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19 REPORTER'S TRANSCRIPT OF PROCEEDINGS  
 20 VOLUME I  
 (Pages 1 through 169)

21

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1 BE IT REMEMBERED that the above-entitled  
2 and numbered matter came on regularly to be heard before  
3 the Arizona Power Plant and Transmission Line Siting  
4 Committee at Little America Hotel, 2515 East Butler  
5 Avenue, Flagstaff, Arizona, commencing at 1:00 p.m. on  
6 August 7, 2023.

7

8 BEFORE: ADAM STAFFORD, Chairman

9 GABRIELA S. MERCER, Arizona Corporation Commission  
10 LEONARD DRAGO, Department of Environmental Quality  
11 DAVID FRENCH, Arizona Department of Water Resources  
12 R. DAVID KRYDER, Agriculture Interests  
13 SCOTT SOMERS, Incorporated Cities and Towns  
14 (Via Videoconference)  
15 ROMAN FONTES, Counties  
16 (Via Videoconference)  
17 MARGARET "TOBY" LITTLE, PE, General Public  
18 DAVE RICHINS, General Public  
19 COL. JON H. GOLD, General Public

20

21 APPEARANCES:

22 For the Applicant:

23 Jeffrey Webb Crockett  
24 CROCKETT LAW GROUP  
25 2198 Camelback Road, Suite 305  
Phoenix, Arizona 85016

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1 CHMN STAFFORD: All right. Let's go on the  
2 record. Now is the time set for the hearing on the  
3 matter of the application of Aurora Solar for a  
4 Certificate of Environmental Compatibility for the Obed  
5 Meadow tie line, docket number L-21254A-23-0184-00222.  
6 Line siting case 222. Let's take roll call.

7 Member Richins?

8 MEMBER RICHINS: Present.

9 CHMN STAFFORD: Member Little?

10 MEMBER LITTLE: Here.

11 CHMN STAFFORD: Member French?

12 MEMBER FRENCH: Present.

13 CHMN STAFFORD: Member Drago?

14 MEMBER DRAGO: Present.

15 CHMN STAFFORD: Member Kryder?

16 MEMBER KRYDER: Present.

17 CHMN STAFFORD: Member Mercer?

18 MEMBER MERCER: Present.

19 CHMN STAFFORD: Member Gold?

20 MEMBER GOLD: Present.

21 CHMN STAFFORD: And I believe we have

22 online Member Somers?

23 MEMBER SOMERS: Here.

24 THE REPORTER: Very -- very quiet.

25 CHMN STAFFORD: Member Somers, again, I

1 don't know if we quite caught that.

2 MEMBER SOMERS: I'm here.

3 CHMN STAFFORD: Member Fontes?

4 MEMBER FONTES: Present.

5 CHMN STAFFORD: Thank you.

6 Mr. Crockett, would you like to begin with  
7 an opening?

8 MR. CROCKETT: I would. Thank you,  
9 Chairman Stafford.

10 Members of the committee, my name is Jeff  
11 Crockett of Crockett Law Group, PLLC. I'm representing  
12 the applicant, Aurora Solar, LLC. With me today are four  
13 members -- four witnesses that are going to be testifying  
14 in a panel. I'll introduce them here shortly. Aurora  
15 Solar, LLC, is a wholly owned subsidiary of Avangrid  
16 Renewables, LLC. Avangrid Renewables is part of the  
17 Iberdrola SA family of companies. Avangrid Renewables is  
18 one of the leading providers of clean renewable power in  
19 the United States, operating \$41 billion in assets across  
20 24 states with 9.6 gigawatts of renewable energy  
21 capacity, making the company the third largest onshore  
22 renewable operator in the United States.

23 As you will hear today, Avangrid Renewables  
24 already owns and operates existing wind and solar  
25 projects in Arizona. Aurora Solar, the applicant in this



1 proceeding is planning to construct the Obed Meadow Solar  
2 Project in Navajo County near the existing APS Cholla  
3 Power Plant and Substation. The Obed Meadow Solar  
4 Project is a planned 20 megawatt solar photovoltaic power  
5 plant, which may be paired with a 200 megawatt battery  
6 storage system connected to the APS Cholla Substation.

7 The Obed Meadow Solar Project will connect  
8 to the substation via a 230-kV alternating current  
9 generation intertie transmission line and associated  
10 substation. The Obed Meadow gen-tie project will be  
11 located entirely within unincorporated Navajo County, and  
12 constructed on privately owned land and land owned by  
13 APS. The overall length of the gen-tie will be  
14 approximately 2.8 miles, depending upon the final  
15 alignment.

16 Aurora Solar filed its application for a  
17 Certificate of Environmental Compatibility to construct  
18 the Obed Meadow gen-tie and substation on June 23rd,  
19 2023. Aurora Solar is requesting two separate CECs to  
20 allow for the future transfer to APS of a portion of the  
21 gen-tie that will be constructed on land owned by APS  
22 within the Cholla Substation.

23 The first CEC, which we will refer to today  
24 as CEC-1, is for the portion of the gen-tie that  
25 originates at the Obed Meadow project substation, and

1 runs east and then northeast a distance of approximately  
2 two and a half miles to the point of ownership change  
3 immediately outside the APS property line.

4 The gen-tie covered by CEC-1 would be  
5 located on approximately 43 1/2 acres of privately owned  
6 land, and the project substation would occupy  
7 approximately 5 acres of privately owned land within the  
8 applicant's power plant site. The gen-tie covered by  
9 CEC-1 would be located within a 1,000-foot-wide corridor  
10 with a right-of-way width of 150 feet. You will hear  
11 testimony that Aurora Solar has already secured the  
12 gen-tie right-of-way on the private land.

13 The estimated structure count for the  
14 gen-tie is 25, which is subject to change pending final  
15 engineering and design. The structures are expected to  
16 range an above ground height from 80 to 100 feet and will  
17 be spaced 600 to 815 feet apart. As usual, the final  
18 design of the gen-tie will be subject to any  
19 environmental constraints, topography, and siting  
20 variances. The project substation is planned for two  
21 main power transformers with two 230-kV circuit breakers,  
22 12 34.5-kV feeder breakers, switches, a control house,  
23 and a substation structure within an approximately 7-foot  
24 tall fenced enclosure.

25 The second CEC, which we will refer to as

1 CEC-2, is for the portion of the gen-tie that originates  
2 at the APS property line and runs northeast inside the  
3 substation property, approximately one-quarter mile to  
4 the point of interconnection. Ownership of the gen-tie  
5 covered by CEC-2 will be transferred to APS upon  
6 completion of construction, and the gen-tie will be  
7 located entirely on land owned by APS within the Cholla  
8 Substation.

9 Aurora Solar is requesting a corridor of  
10 approximately 147 acres within the Cholla Substation  
11 site, because the final location of the gen-tie within  
12 the Cholla Substation has not been finalized. Aurora  
13 Solar will present drafts of two CECs. APS has reviewed  
14 CEC-2 and has requested one change, that the proposed  
15 initial compliance certification in Condition 19, the  
16 compliance date be changed from December -- from  
17 November 1, 2024, to December 1, 2024. So we'll talk  
18 about that when we get to reviewing the gen-ties,  
19 probably tomorrow -- I'm sorry, the CECs tomorrow.

20 While the Obed Meadow solar plant described  
21 in the application for the information -- is described in  
22 the application for the information of the Line Siting  
23 Committee, Aurora Solar seeks CECs only for the gen-tie  
24 and project substation. As the committee is aware, the  
25 planned solar facility itself does not require a CEC, nor

1 does the battery storage component, if that is  
2 constructed. The applicant will present a panel of  
3 witnesses who will provide significant additional detail  
4 regarding the gen-tie project and substation.

5 The application includes each of the  
6 environmental evaluations and documentation relevant to  
7 the gen-tie project, as specified by Arizona  
8 Administrative Code Rule R14-3-219, the various  
9 environmental studies will be discussed in detail during  
10 the presentation of evidence today.

11 The applicant will provide evidence that it  
12 has completed a robust public outreach program, including  
13 the affected jurisdiction, which is Navajo County,  
14 stakeholders, and landowners within the study area for  
15 the project. As I mentioned, the affected jurisdiction  
16 is Navajo County, and notice of this proceeding was  
17 provided to the County via certified mail, and the County  
18 has elected not to participate in the -- in the hearing  
19 today.

20 I would note that APS was also provided  
21 notice of the application and counsel for APS advised me  
22 that she will be watching the proceeding via the video  
23 link, but that APS does not intend to participate in the  
24 hearing. As noted earlier -- well, I would also note  
25 that there have been no requests to intervene in this

1 case. You will hear testimony that Aurora Solar is  
2 waiting for APS to complete a System Impact Study at the  
3 Cholla Substation, which has been delayed several times  
4 and is currently slated for completion around October 1,  
5 2023. Thus, while the application was reviewed by the  
6 Arizona Corporation Commission's Utilities Division  
7 Staff, Staff was unable to opine that the project will  
8 improve the reliability, safety of the grid, and delivery  
9 of power in Arizona.

10 Notwithstanding, we believe the evidence  
11 will clearly show that the Obed Meadow project will  
12 improve reliability, safety of the grid, and delivery of  
13 power, as the renewable energy produced at the solar  
14 plant will replace energy that is being lost with the  
15 closure of the generating units at the APS Cholla Power  
16 Plant.

17 The evidence will further show, based upon  
18 the factors outlined in ARS 40-360.06, that the Obed  
19 Meadow gen-tie project is environmentally compatible with  
20 the surrounding areas. Specifically, the evidence will  
21 show that, one, the project will disturb only a minimal  
22 amount of land, which is either already disturbed range  
23 land or is being used for industrial and utility  
24 infrastructure; two, the project will be compatible with  
25 existing plans in the vicinity of the proposed site, as

1 well as future plans; three, the project will not disturb  
2 any areas of unique biological wealth, and will not  
3 impact any special status species; four, the project will  
4 have minimal visual effects and will not disturb any  
5 known archaeological or historical sites of significance;  
6 five, the project will be sited adjacent to existing  
7 transmission infrastructure to reduce impacts from  
8 constructing new lines; and six, the project will not  
9 result in a significant impact associated with noise or  
10 signal interference.

11           The applicant will present four witnesses,  
12 Tyler Hoffbuhr, Trey Hadley, Justin Miner, and Keith  
13 Pohs, who will deliver their testimony as a panel using a  
14 PowerPoint slide show. The presentation will include a  
15 visual tour of the proposed project substation and  
16 gen-tie route and the corridor. Given the significant  
17 electrical infrastructure that already exists in the  
18 area, I believe the virtual tour will make it readily  
19 apparent that the Obed Meadow gen-tie and substation  
20 project is compatible with the existing land uses in the  
21 vicinity.

22           At the conclusion of this proceeding, the  
23 applicant will ask this committee to approve two CECs for  
24 the project. Pre-filed Exhibits OM-20 and OM-21 are the  
25 two proposed CECs. At the request of Chairman Stafford,

1 we will be identifying the CECs as CEC-222-A and  
2 CEC-222-B. When we prepared the application, we referred  
3 to them as CEC-1 and 2, and so that's what you will see  
4 in the application and the exhibits, but on the actual  
5 draft certificates that you'll see tomorrow, they'll be  
6 identified as 222-A and 222-B. 222 being the case number  
7 for this proceeding.

8 The applicant has 25 exhibits, which  
9 include the application, as well as the PowerPoint  
10 presentation which you will see today. The exhibits have  
11 been loaded onto the electronic notebooks that are before  
12 you. In addition, you each have a placemat for easy  
13 reference that shows the proposed gen-tie route and  
14 corridor on one side, and the project study area on the  
15 other. Finally, the applicant has made arrangements for  
16 a site tour, if the committee votes to tour the proposed  
17 gen-tie site.

18 Thank you.

19 CHMN STAFFORD: Thank you, Mr. Crockett. I  
20 believe I neglected to have you enter your appearance  
21 before I asked you to give your opening, if you could  
22 just quickly do that.

23 MR. CROCKETT: You bet. Jeff Crockett,  
24 appearing on behalf of Aurora Solar, LLC, the applicant  
25 in this docket.

1 CHMN STAFFORD: Thank you. Would you like  
2 to call your first panel -- I guess the only panel.

3 MR. CROCKETT: Yes, we -- we have, as I  
4 indicated, four witnesses, Tyler Hoffbuhr, Trey Hadley,  
5 Justin Miner, and Keith Pohs. I think they're all happy  
6 to be here in Flagstaff at the Little America enjoying  
7 this beautiful weather up here, so with that, I'll turn  
8 them over to you to be sworn in.

9 CHMN STAFFORD: Thank you.

10 All right. So, Mr. Pohs, do you prefer an  
11 oath or an affirmation?

12 MR. POHS: Affirmation.

13 (Keith Pohs was duly affirmed by  
14 Chairman Stafford.)

15 CHMN STAFFORD: Mr. Miner, same question?

16 MR. MINER: Affirmation.

17 (Justin Miner was duly affirmed by  
18 Chairman Stafford.)

19 CHMN STAFFORD: Mr. Hadley?

20 MR. HADLEY: I'll take the oath.

21 (Trey Hadley was duly sworn by  
22 Chairman Stafford.)

23 CHMN STAFFORD: Mr. Hoffbuhr?

24 MR. HOFFBUHR: Affirmation, please.

25 (Tyler Hoffbuhr was duly affirmed by



1 Chairman Stafford.)

2 CHMN STAFFORD: Thank you.

3 You may begin, Mr. Crockett.

4

5 KEITH POHS, JUSTIN MINER, TREY HADLEY, AND

6 TYLER HOFFBUHR,

7 called as witnesses as a panel on behalf of Applicant,  
8 having been previously affirmed or sworn by the Chairman  
9 to speak the truth and nothing but the truth, were  
10 examined and testified as follows:

11

12 DIRECT EXAMINATION

13 BY MR. CROCKETT:

14 Q. Thank you.

15 Well, good afternoon, Mr. Hoffbuhr. We'll start  
16 with you. Would you please state your name and business  
17 address for the record.

18 A. (MR. HOFFBUHR) My name is Tyler Hoffbuhr. My  
19 business address is 2701 Northwest Vaughn Street, Suite  
20 300, Portland, Oregon 97210.

21 Q. By whom are you employed and in what capacity?

22 A. (MR. HOFFBUHR) I'm employed by Avangrid  
23 Renewables as a senior business developer.

24 Q. Please describe your educational and  
25 professional background.

1 A. (MR. HOFFBUHR) I graduated from Oregon State  
2 University in 2002 with a bachelor's degree in geography.  
3 I've been with Avangrid Renewables almost all my time  
4 since graduating from Oregon State, supporting renewable  
5 development and construction.

6 Q. Have you been involved in other projects in  
7 Arizona?

8 A. (MR. HOFFBUHR) Yes, I have. Several of the  
9 operating projects you spoke of.

10 Q. Have you testified previously before the Arizona  
11 Power Plant and Transmission Line Siting Committee?

12 A. (MR. HOFFBUHR) No, I have not.

13 Q. Mr. Hoffbuhr, would you please describe your  
14 duties as the senior business developer for this project?

15 A. (MR. HOFFBUHR) As the senior business developer,  
16 in general, for Avangrid Renewables, my responsibility is  
17 locating new development opportunities for both wind and  
18 solar energy. As a part of that, we work closely with  
19 our permitting engineering teams, interconnection teams  
20 to develop, permit, and interconnect these projects to  
21 the grid.

22 Q. What is the purpose of your testimony today?

23 A. (MR. HOFFBUHR) I'll provide an overview of the  
24 applicant. We'll describe the Obed Meadow project, the  
25 purpose and need for the project, and an overview of the

1 proposed route for the gen-tie.

2 Q. Have you prepared a summary of your testimony?

3 A. (MR. HOFFBUHR) Yes.

4 Q. Is Exhibit OM-2 a true and correct copy of your  
5 testimony summary?

6 A. (MR. HOFFBUHR) Yes, it is.

7 Q. Mr. Hoffbuhr, are you familiar with the  
8 application that was filed by Aurora Solar in this case?

9 A. (MR. HOFFBUHR) Yes.

10 Q. Is Exhibit OM-1 a true and correct copy of that  
11 application?

12 A. (MR. HOFFBUHR) It is, yes.

13 Q. Was Exhibit OM-1 prepared by you or under your  
14 supervision?

15 A. (MR. HOFFBUHR) Yes.

16 Q. Mr. Hadley, turning to you next, would you  
17 please state your name and business address for the  
18 record?

19 A. (MR. HADLEY) Sure. My name is Trey Hadley, and  
20 my business address is 2701 Northwest Vaughn Street,  
21 Suite 300, Portland, Oregon 97210.

22 Q. By whom are you employed and in what capacity?

23 A. (MR. HADLEY) I'm employed by Avangrid Renewables  
24 and as a senior permitting environmental manager.

25 Q. Would you please describe your education and

1 professional background?

2 A. (MR. HADLEY) Sure. I received a bachelor's  
3 degree in wildlife and fishery sciences from Texas A&M  
4 University in 2014. Since that time I've been with a  
5 couple of other employers prior to Avangrid, but all of  
6 that nine years of experience has been in the permitting  
7 and development activities and other environmental  
8 support from the surveys, all the way to overseeing  
9 consultants, such as on this project, for renewables and  
10 other industries.

11 Q. Have you previously testified before this  
12 committee?

13 A. (MR. HADLEY) I have not.

14 Q. Would you please describe your duties as the  
15 senior permitting and environmental manager for the Obed  
16 Meadow project?

17 A. (MR. HADLEY) Sure. So as a permitting  
18 environmental lead within Avangrid, we're part of a  
19 larger project team as a developer pursuing business  
20 opportunities. We incorporate with engineering and all  
21 the other subject matter experts to provide support from  
22 the earliest inception and all the way through  
23 development and construction and operation.

24 So, specifically for this project, I've  
25 coordinated and reviewed the environmental studies,

1 incorporated those findings into our project design,  
2 participated in the public outreach activities, and then  
3 also led, in collaboration with the rest of the team, the  
4 preparation of the CEC applications y'all have.

5 Q. What is the purpose of your testimony today?

6 A. (MR. HADLEY) Sure. For my testimony today, I  
7 will be providing a description of the overall Obed  
8 Meadow gen-tie line project, the proposed route, corridor  
9 and right-of-way. I'll also be describing the  
10 distinction between what we're referring to as CEC-1 and  
11 2, and also providing the virtual tour narration, along  
12 with the rest of the team, and then also covering the CEC  
13 application filing and noticing requirements met.

14 Q. Mr. Hadley, have you prepared a summary of your  
15 testimony?

16 A. (MR. HADLEY) Yes.

17 Q. Is Exhibit OM-3 a true and correct copy of your  
18 testimony summary?

19 A. (MR. HADLEY) Yes, it is.

20 Q. And I was -- I should have probably mentioned  
21 this at the beginning, but this proceeding is being  
22 transcribed by a court reporter, and so when you're  
23 speaking, keep that in mind that she's got to record all  
24 this. And I know we can kind of get moving quickly when  
25 we're describing things, so --

1 Mr. Miner, would you please state your name and  
2 business address for the record?

3 A. (MR. MINER) Sure. My name's Justin Miner, and  
4 my business address is 4750 West 2100 South, Suite 400,  
5 in Salt Lake City, Utah 84120.

6 Q. By whom are you employed and in what capacity?

7 A. (MR. MINER) I'm employed by TetraTech,  
8 Incorporated, and my role there is a senior project  
9 manager and the southwest practice lead.

10 Q. Have you been involved in other renewable energy  
11 projects in Arizona?

12 A. (MR. MINER) I have. I've been a project manager  
13 on a few smaller projects, most of those are in the  
14 pre-planning phases at this time. Those include solar,  
15 wind, and battery storage projects.

16 Q. Would you please describe your educational and  
17 professional background?

18 A. (MR. MINER) Sure. I received a bachelor's  
19 degree in landscape architecture and environmental  
20 planning from Utah State University, in Logan, Utah, that  
21 was back in 2000. I continued my education, receiving my  
22 master's degree in environmental management from Portland  
23 State University, in Portland, Oregon in 2003.

24 At TetraTech, I'm a senior project manager, as I  
25 mentioned. We're primarily focused on renewable energy

1 development projects. I've been in environmental  
2 consulting my entire career that spans about 22 years,  
3 primarily developing or permitting development projects  
4 in the energy sector, renewable energy, natural gas  
5 pipeline, as well as transportation projects.

6 Q. Mr. Miner, have you testified previously before  
7 this committee?

8 A. (MR. MINER) No, I have not.

9 Q. Would you please describe TetraTech in a little  
10 bit more detail?

11 A. (MR. MINER) Certainly. TetraTech's a large  
12 company. We're a global provider of environmental  
13 consulting and engineering services. Worldwide, we have  
14 about 27,000 employees, but on a more local scale, I  
15 report to the southwest and intermountain operations  
16 office, which is headquartered out of Denver, Colorado.

17 Our operation group employs about 250  
18 environmental planners, scientists, biologists and  
19 engineers in civil, mechanical, and electrical  
20 engineering disciplines. On a more -- even more local  
21 scale, in Arizona we have offices in Phoenix and Tucson.  
22 And our Arizona-based staff include planners, biologists,  
23 and archaeologists.

24 Q. Mr. Miner, was TetraTech engaged by the  
25 applicant in this case to assist with the preparation of

1 the application and the studies that support that?

2 A. (MR. MINER) Yes.

3 Q. Would you please describe TetraTech's role with  
4 respect to the gen-tie project?

5 A. (MR. MINER) Certainly. We were retained by  
6 Aurora Solar, LLC, to assist with the public involvement  
7 activities, and in the preparation of the application for  
8 the CEC, and to perform resource studies for wetland  
9 water bodies, biological surveys, and conduct cultural  
10 surveys. Those environmental resource studies are in  
11 support of application Exhibits A through J.

12 Q. And what is the purpose of your testimony today?

13 A. (MR. MINER) The purpose of my direct testimony  
14 is to provide the siting committee with information on  
15 the public involvement activities and environmental  
16 studies completed in support of the application, which  
17 include a summary of our public and stakeholder  
18 involvement, which is application Exhibit J, a review of  
19 our land use and existing plans, application Exhibit A,  
20 B, and H. I'll discuss our visual resources and  
21 sensitive viewers, application Exhibit E. Recreational  
22 uses in Exhibit F. And noise and interference in  
23 application Exhibit I.

24 I will also provide my opinion based on these  
25 findings regarding the overall environmental



1 compatibility of the project.

2 Q. And did you work with Mr. Pohs in preparing  
3 these different studies that support the application?

4 A. (MR. MINER) I did, yes.

5 Q. Mr. Miner, have you prepared a summary of your  
6 testimony today?

7 A. (MR. MINER) Yes, I have.

8 Q. Is Exhibit OM-4 a true and correct copy of your  
9 testimony summary?

10 A. (MR. MINER) Yes, it is.

11 Q. Okay. And, Mr. Pohs, would you please state  
12 your name and business address?

13 A. (MR. POHS) Sure. My name is Keith Pohs. My  
14 business address is 2832 South 46th Street, Phoenix,  
15 Arizona 85040.

16 Q. By whom are you employed and in what capacity?

17 A. (MR. POHS) I'm a senior environmental project  
18 manager and biologist at TetraTech, Incorporated.

19 Q. Please describe your educational background and  
20 professional experience.

21 A. (MR. POHS) I received a bachelor's degree in  
22 geology from Whitman College in Walla Walla, Washington.  
23 I continued my education, receiving a master's degree in  
24 earth science from Northern Arizona University, here in  
25 Flagstaff. Though I'm -- though my formal education is

1 in the geo-sciences, I have extensive field biological  
2 experience throughout Arizona and the southwest and  
3 largely work as a biologist. I have 23 years of  
4 biological, botanical, wetland, and water body survey,  
5 and environmental reporting and permitting experience.

6 I manage interdisciplinary teams, ensuring  
7 compliance with environmental laws, covering many  
8 disciplines, including the National Environmental Policy  
9 Act, Endangered Species Act, National Historic  
10 Preservation Act, and the Clean Water Act, as well as  
11 compliance with the State of Arizona Native Plant Law.

12 I've completed field surveys and environmental  
13 impact analysis projects for the Forest Service, Bureau  
14 of Land Management, National Park Service, Bureau of  
15 Indian Affairs, U.S. Army Corps of Engineers, and the  
16 Arizona Department of Environmental Quality.

17 Q. So, Mr. Pohs, have you -- does your work  
18 experience include projects in Arizona?

19 A. (MR. POHS) Yeah, including numerous solar and  
20 wind projects near Phoenix, Snowflake, Kingman and  
21 McNeal, Arizona.

22 Q. Have you previously testified before the Line  
23 Siting Committee?

24 A. (MR. POHS) I have not.

25 Q. What is the purpose of your testimony today?

1 A. (MR. POHS) The purpose of my direct testimony is  
2 to provide the siting committee with information on the  
3 environmental studies completed in support of the  
4 application, to include biological resources, including  
5 wetlands and water bodies, application Exhibits B, C, and  
6 D. And cultural resources, historic sites and  
7 structures, and archaeological sites, application  
8 Exhibits B and E.

9 Q. Mr. Pohs, did you prepare a summary of your  
10 testimony?

11 A. (MR. POHS) Yes.

12 Q. Is Exhibit OM-5 a true and correct copy of your  
13 testimony summary?

14 A. (MR. POHS) Yes.

15 Q. Well, let's begin, Mr. Hoffbuhr, with you.  
16 Would you please provide some background regarding the  
17 applicant, Aurora Solar, and specifically how it fits  
18 into the corporate structure of Avangrid Renewables?

19 A. (MR. HOFFBUHR) Sure. Avangrid Renewables is  
20 headquartered in Portland, Oregon, as part of the  
21 Iberdrola Group, which is headquartered out of Madrid.  
22 There is actually a layer in between our company,  
23 Avangrid, which owns eight utilities in the northeast and  
24 several thousand miles of transmission.

25 Avangrid Renewables has over nine gigawatts of

1 operating rural energy projects in the United States,  
2 generating power from nearly 70 projects. We're the  
3 third largest onshore renewable operator in the United  
4 States. And we are driving innovation of wind, solar,  
5 hydrogen, and more, to overcome a new generation of  
6 challenges and support the United States in meeting its  
7 climate goals. Aurora Solar, LLC, the applicant in this  
8 case is a wholly owned subsidiary of Avangrid Renewables.

9 Q. And are we -- on PowerPoint slide 15, are we  
10 seeing projects around the country that Avangrid's  
11 involved in?

12 A. (MR. HOFFBUHR) That's correct. That's got the  
13 renewables projects, as well as our utility -- utility  
14 projects in the northeast.

15 Q. So it appears that you operate really coast to  
16 coast in the United States; is that correct?

17 A. (MR. HOFFBUHR) Yes, we do.

18 Q. Okay. Besides this Obed Meadow project, does  
19 Avangrid Renewables have other projects in Arizona?

20 A. (MR. HOFFBUHR) Yes, as shown on slide 16, we  
21 have two operating wind farms, Dry Lake Wind Farm in  
22 Navajo County was the first operational wind project in  
23 the state of Arizona. The second phase of that project  
24 Dry Lake II is also located in Navajo County, and for  
25 reference, you can see there that the Obed Meadow project

1 is just up the road, 30 -- 30 or so miles. We also have  
2 an operating solar project in Pinal County, Copper  
3 Crossing.

4 Q. Would you please provide an overview of the  
5 planned Obed Meadow Power Plant?

6 A. (MR. HOFFBUHR) Sure. Just -- just to get your  
7 reference, I'll start, you know, you can see here the  
8 hashed area with the yellow boundary would be the solar  
9 project and battery storage area. The gray boundary  
10 there is the actual gen-tie route that leads from the  
11 project into the Cholla Substation, and just north of  
12 that you can see Joseph City itself. The project is a  
13 proposed gen-tie line of 230-kV -- or, I'm sorry, are we  
14 on just the solar for now?

15 Q. Well, that -- that was going to be my next  
16 question.

17 A. (MR. HOFFBUHR) Okay.

18 Q. Would you now please describe the project  
19 substation and the proposed gen-tie?

20 A. (MR. HOFFBUHR) Yes. The proposed gen-tie line  
21 is a 230-kV line, it will be approximately 2.8 miles in  
22 length and will require 150-foot right-of-way. The  
23 gen-tie line route will originate at the collector  
24 substation within the related solar facility and will  
25 continue for approximately 2.55 miles on privately owned

1 property in unincorporated Navajo County, Arizona. This  
2 section of the gen-tie line will be owned by Aurora  
3 Solar, and is described in the application as CEC-1.

4 The gen-tie line will then continue on the  
5 Arizona Public Service Company property for approximately  
6 .25 miles to the point of interconnection at the Cholla  
7 Substation. This section of the gen-tie line will be  
8 owned by APS and is described in the application as  
9 CEC-2. No alternative gen-tie line route is proposed, as  
10 Aurora Solar has acquired the easement from the landowner  
11 for the gen-tie, as described in the application as  
12 CEC-1.

13 Q. So, Mr. Hoffbuhr, if you could -- I'm going to  
14 ask you to use your laser pointer -- the project, it  
15 looks like there's two separate parcels of project that  
16 are separated by some land in the middle; is that  
17 correct?

18 A. (MR. HOFFBUHR) Yes, that's true.

19 Q. And so the yellow line that we see, maybe you  
20 can highlight that, connecting the two pieces of  
21 property, is that -- is that a power line?

22 A. (MR. HOFFBUHR) That will be a road, an access  
23 road connecting the two, as well as the underground  
24 34.5-kilovolt collector system.

25 Q. So that power line is underground and is not

1 subject to the requirement of a CEC; is that your  
2 understanding?

3 A. (MR. HOFFBUHR) That's my understanding, yes.

4 Q. And Avangrid is not asking for a CEC for that --  
5 that portion of the line, the yellow line that connects  
6 the two hashed pieces of property?

7 A. (MR. HOFFBUHR) No, we are not.

8 Q. Okay. And would you take your pointer and point  
9 out the project substation?

10 A. (MR. HOFFBUHR) The project substation is shown,  
11 it's quite small in this, but it's that green little box  
12 right where the gen-tie line starts.

13 Q. At the very southeast corner of the -- of the  
14 solar power plant?

15 A. (MR. HOFFBUHR) That's correct, yes.

16 Q. And then would you point out on the map where  
17 the Cholla Power Plant is?

18 A. The Cholla Power Plant in this map is shown in a  
19 dark gray at the eastern terminus of our proposed gen-tie  
20 line.

21 Q. And then Joseph City is located to the north of  
22 the project?

23 A. (MR. HOFFBUHR) That's right, just north of  
24 Interstate 40.

25 Q. Is the project located within the city limits of

1 Joseph City?

2 A. (MR. HOFFBUHR) No, it is not.

3 Q. Mr. Hoffbuhr, would you please describe now the  
4 need for this project?

5 A. (MR. HOFFBUHR) The purpose and need for the  
6 project is to interconnect the Obed Meadow solar facility  
7 to the original transmission grid at the existing Cholla  
8 Substation. The project will deliver clean, renewable  
9 power to the transmission grid for use by electric  
10 customers and will provide increased property tax revenue  
11 to Navajo County and local communities, including Joseph  
12 City. Lastly, the project will provide Arizona with a  
13 renewable energy resource to help meet the State's clean  
14 energy goals.

15 Q. Mr. Hoffbuhr, for some additional context on the  
16 purpose and need, would you please provide an overview of  
17 the Cholla Power Plant system requirements?

18 A. (MR. HOFFBUHR) Sure. The Cholla Power Plant is  
19 a 1.02 gigawatt coal power plant. In 2010, the EPA  
20 notified the Cholla Power Plant that pollution controls  
21 were needed for units 2 through 4. As a result, unit 2  
22 was retired in 2016. The remaining units were to be  
23 either retired or converted to another fuel source by  
24 2025. Unit 4 was retired in 2020, and units 1 and 3 are  
25 scheduled for retirement in 2025. The related Obed



1 Meadow solar facility will provide APS with 200 megawatts  
2 of clean, renewable energy, as they prepare for the  
3 planned system retirements.

4 Q. So, Mr. Hoffbuhr, what becomes of the Cholla  
5 Substation once the -- all four of the coal units are  
6 closed down by 2025?

7 A. (MR. HOFFBUHR) As -- I can't speak for certain  
8 as to what APS's plans are with the substation, but our  
9 understanding is that they will be looking for  
10 replacement generation to replace the power that will no  
11 longer be being produced by the Cholla Power Plant.

12 Q. And is it your understanding that there are  
13 other renewable energy projects that are currently  
14 planning to connect into the Cholla Substation?

15 A. (MR. HOFFBUHR) That is my understanding, yes.

16 Q. But for the closure of the Cholla Substation,  
17 would there be room to connect into the Cholla -- or the  
18 Cholla Power Plant -- let me start over.

19 But for the closure of the units at the Cholla  
20 Power Plant, would there be some capacity constraints at  
21 the Cholla Substation?

22 A. (MR. HOFFBUHR) The -- with a total of one  
23 gigawatt approximately coming offline, that creates  
24 capacity at Cholla. We are still waiting, as you  
25 mentioned earlier, the result of our System Impact Study,

1 which are due shortly, to find out what sort of system  
2 impacts there may be as a result, but our -- the reason  
3 the project was sited in this location was to replace  
4 generation being lost due to the retirement of the coal  
5 facility.

6 Q. Okay. Yeah, that's what I was really trying to  
7 get at.

8 Would you please now provide an overview of the  
9 gen-tie and the structure types?

10 A. (MR. HOFFBUHR) Sure. The gen-tie line will be  
11 constructed using three phases of a single conductor.  
12 There are two structure types proposed, a steel monopole  
13 or a steel H-frame -- steel or wood H-frame structure.  
14 The typical steel H-frame structure is shown on slide 22  
15 and included in application Exhibit G.

16 Next slide. Thank you.

17 The typical steel monopole structure is shown on  
18 slide 24 and included in application Exhibit G. Steel  
19 monopoles are the preferred structure type, and in  
20 addition to the structure or the typical structure  
21 provided in Exhibit G, we have identified a few other  
22 potential steel monopole variations that may be used for  
23 varying engineering reasons after further design.  
24 Exhibits OM-24 and OM-25 are two additional steel  
25 monopole variations that may be utilized.

1           During the virtual tour, an additional steel  
2 monopole structure will be shown that we do not have a  
3 drawing available for at this time. The estimated  
4 structure count for the project is 25 structures, which  
5 is subject to change pending final detail design. The  
6 structure above-ground height will range from 80 to  
7 100 feet. The minimum height of the conductor above  
8 existing grade will be 27 feet, and a maximum operating  
9 temperature. Preliminary design identified the span  
10 length between structures will range from 600 to 815 feet  
11 apart.

12           As stated previously, Aurora Solar has acquired  
13 the easement on private lands identified as a permanent  
14 right-of-way width of 150 feet.

15           Q. Mr. Hoffbuhr, I'd like to talk for a moment now  
16 about the additional structure types that you mentioned,  
17 and if I could ask Peaks Audio to put up -- let's take a  
18 look at Exhibit OM-24.

19           Mr. Hoffbuhr, are you -- are you familiar with  
20 Exhibit OM-24 that we see on the screen?

21           A. (MR. HOFFBUHR) Yes.

22           Q. What does that show?

23           A. (MR. HOFFBUHR) This shows a steel monopole  
24 structure.

25           Q. And is that a type of structure that may be

1 utilized as part of the gen-tie?

2 A. (MR. HOFFBUHR) Yes, it is.

3 Q. Okay. And -- and as you've refined this  
4 project, that's come onto your radar as one potential  
5 type of structure that may be used?

6 A. (MR. HOFFBUHR) It is, yeah. And the reason for  
7 the multiple options we're proposing is really at the  
8 time of construction what is available to us, what we can  
9 procure.

10 Q. Okay. And next, could we take a look at OM-25.  
11 So, Mr. Hoffbuhr, are you familiar with this  
12 Exhibit OM-25?

13 A. (MR. HOFFBUHR) Yes, I am.

14 Q. And what does that show?

15 A. (MR. HOFFBUHR) This shows just a different  
16 format of structures. These three structures are used to  
17 actually bring down the line -- the wire height to cross  
18 underneath existing transmission lines that we have to  
19 cross to get to Cholla.

20 Q. Okay. And there's maybe one third type of  
21 structure that you may need to use, but you don't have a  
22 drawing for that yet at this point; is that correct?

23 A. (MR. HOFFBUHR) That's correct.

24 Q. Okay. And who prepared these two designs that  
25 we are looking at in OM-24 and OM-25?

1 A. (MR. HOFFBUHR) Our engineering consulting firm,  
2 Westwood Professional Services.

3 Q. And were those prepared at your request?

4 A. (MR. HOFFBUHR) Yes, they were.

5 Q. All right. Mr. Hoffbuhr, would you now take us  
6 through a brief overview of the proposed project  
7 substation?

8 A. (MR. HOFFBUHR) Sure. The collector substation  
9 shown on slide 26 and included in application Exhibit G  
10 will occupy approximately 5 acres within the related  
11 solar facility. The collector substation will consist of  
12 two main power transformers with two 230-kV circuit  
13 breakers, 12, 35 -- 34.5-kV feeder breakers, switches,  
14 the control house, and a substation structure. The  
15 collector substation will convert the electricity  
16 generated from the solar facility from 34.5-kV to 230-kV.  
17 The substation will be located within the solar facility  
18 and secured by a 7-foot tall fenced enclosure.

19 Q. And so if you could highlight on this map, if  
20 you would, the fence enclosure around the substation  
21 site?

22 A. (MR. HOFFBUHR) Yeah, I'll do my best with this  
23 big circle, but you can kind of see it running down here  
24 all the way around the substation.

25 Q. Thank you.

1 And is this configuration for a substation a  
2 relatively standard configuration, in your experience?

3 A. (MR. HOFFBUHR) Yes, it would be a standard  
4 configuration for a substation of this size.

5 Q. And there's nothing unusual or unique about this  
6 particular substation?

7 A. (MR. HOFFBUHR) No, sir.

8 Q. Mr. Hoffbuhr, did Aurora Solar submit a 10-year  
9 plan that includes the Obed Meadow project?

10 A. (MR. HOFFBUHR) Yes, we did. Aurora Solar, LLC,  
11 first filed it's 10-year plan on January 21st, 2022, and  
12 again on January 31st, 2023.

13 Q. Okay. And on slide 28 is -- are we seeing a  
14 cover letter that transmitted the 10-year plan for the  
15 2023 filing?

16 A. (MR. HOFFBUHR) That's correct.

17 Q. Okay. Going to move on now --

18 MEMBER KRYDER: Mr. Crockett? Mr.  
19 Crockett?

20 CHMN STAFFORD: Yes, member Kryder?

21 MEMBER KRYDER: Mr. Chairman, I have a  
22 question for Mr. Hadley, I believe, or any of you that it  
23 might fit.

24 As you were just running through that  
25 substation, one of the things that's been playing in my

1 mind, not just about this Obed project, but in general,  
2 is what work is included in protection against EMP  
3 damages. Have you addressed that at all or is that  
4 addressed in this project, and just talk to me a little  
5 bit. Bring me up to speed on it, if you would.

6 MR. HOFFBUHR: I'm actually not an expert  
7 in EMPs, and that type of information. I could  
8 certainly, during a break, I could try to get that  
9 information for you and report back.

10 MEMBER KRYDER: It's -- it's all in the  
11 popular press now, you probably know. And there are  
12 historic examples of grid breakdown and blah, blah, blah.  
13 And I was just wondering is this, like, putting a target,  
14 to use a rifle range kind of thing, you're building a big  
15 old grid out there in the field that could be seen  
16 probably from any satellite on -- or up in the sky. And  
17 there are a lot of ways I understand, again, I'm  
18 certainly not an expert, I'm not even a very  
19 knowledgeable pedestrian on this, but it seems like there  
20 are a number of ways of extending an EMP if you're a bad  
21 boy, if Billy Bad's out there in one way or another.

22 And I was just wondering, guy, you guys are  
23 involved with this, your resumes and your experience  
24 seems to say you've been addressing solar projects all  
25 over the country, and I was just -- bring me up to date.

1 MR. HOFFBUHR: Yeah.

2 MEMBER KRYDER: Okay? So you'll be able to  
3 collect something and we can talk about that --

4 MR. HOFFBUHR: Yes, sir, I'll do my best.

5 MEMBER KRYDER: Much appreciated.

6 MEMBER GOLD: Mr. Chairman?

7 CHMN STAFFORD: Yes, Member Gold.

8 MEMBER GOLD: I am familiar with  
9 electromagnetic pulse.

10 MEMBER KRYDER: Speak into your mic a  
11 little more.

12 MEMBER GOLD: I am familiar with  
13 electromagnetic pulse, spent 30 years in the intelligence  
14 service. I have a question that I don't know who to  
15 address, but as I've been listening to all of you, and  
16 you're all very knowledgeable, and you have specific  
17 fields that you have expert knowledge. I see geology. I  
18 see environmental. I see public involvement. I see  
19 earth science, and I see architecture. But I don't see  
20 security.

21 And there are two types of security that,  
22 you know, with my background, I'm curious about how it  
23 would be addressed. One is would be physical security  
24 that the 7-foot fence is very nice, but haven't we just  
25 seen examples of people shooting up something right



1 through a 7-foot fence and disabling an entire facility  
2 with just, I mean, you're out in the middle of nowhere  
3 with roads that are, you know, literally right up to your  
4 place with -- it's wide open. Anybody could come up  
5 there if they had the intent to just disable the system.

6 I see that you have included, I guess the  
7 equivalent of circuit breakers to prevent this from  
8 extending into the what the gen-tie line into your  
9 regional transmission grid -- I'm trying to use the  
10 correct terminology -- but I don't see anything that  
11 pertains to what David just mentioned an electromagnetic  
12 pulse, which, for your information, can be produced in  
13 several ways, and there are machines that can produce  
14 that now.

15 What are you doing -- what type of circuit  
16 breakers or -- has anybody looked at that with your  
17 company to see that if there's an attack on your  
18 transmission lines, your gen-tie lines, that a pulse  
19 could go through those lines and literally disable your  
20 transmission grid and it would affect the regional  
21 transmission grid? Have you considered something like  
22 that as a safety precaution, in view of what's going on  
23 in the world today?

24 MR. HOFFBUHR: Mr. Chairman and Col. Gold,  
25 I'll do my best to answer your question. Our -- our

1 company, as we've mentioned early on, has been operating  
2 generating facilities for quite some time, 20-plus years,  
3 plus our experience in the utility industry. We have an  
4 entire team dedicated to our operations, maintenance, and  
5 safety. And I am sure that there are people within our  
6 company that have obviously thought about all of this  
7 for, you know, grid reliability reasons.

8 And I -- while I don't have exact answers  
9 for you, I will do my best to get some answers for you  
10 before we're done here.

11 MEMBER GOLD: Is there a possibility of  
12 getting one of those experts on your panel so we can  
13 listen to it and see how you're handling a situation like  
14 that? Only I mentioned it because you're all old enough  
15 to remember the blackouts on the East Coast when it  
16 didn't affect just one local area, but it affected an  
17 entire region of the United States. And Arizona is a  
18 particular region that relies on water pumped from  
19 underground for a lot of our cities. And if there's no  
20 electricity, there's no pumping up water. And that gives  
21 you days of survivability.

22 Just -- just bringing it to your attention,  
23 Mr. Chairman, I'm sorry, I'm new to this. I don't know  
24 how to do this very well.

25 CHMN STAFFORD: No problem. I believe

1 Member Fontes has a question as well.

2 MEMBER FONTES: Thank you, Mr. Chairman.

3 I actually have four clarifications.

4 First, the application refers to a battery energy storage  
5 system, that did not have that on the map. And it's  
6 optional, I know, but I would value location of that with  
7 proximity above the step-up substation and/or the APS and  
8 the line.

9 And then within that I need to know how  
10 that's going to operate. Is that going to be for  
11 capturing PTC credits for just that solar or is it going  
12 to also be providing other operational and valuation  
13 services for APS? So kind of got to get a sense of that  
14 as it relates to the transmission.

15 Second item -- I'm just going to list the  
16 items, and then you guys can either come back right now  
17 or at a break or something -- is you said it's a 500-foot  
18 right-of-way with a 230-kV line. Okay? What type of  
19 conductor are you going to use that? Are you going to  
20 use ceramic conductor or other? What I'm focused on  
21 here, folks, is the impact to both wildfire and  
22 vegetation management. I kind of want to see how that's  
23 going to operate. In terms, it's a very narrow range,  
24 it's a small corridor, and you could impact APS and also  
25 systems impact right there at the substation.

1           The third thing is the System Impact Study  
2 with APS. For sure the utility division flagged that to  
3 this committee here, and we want to get an update on  
4 that. I appreciate the introductory remarks, but we  
5 actually need to know, you know, by the end of this, what  
6 is the status with APS with a little more granularity, in  
7 terms of what they've done and what they haven't done in  
8 terms of studies, sort of a work-in-progress update would  
9 be appreciated.

10           The last thing is the application refers to  
11 the gen-tie route will cross over the Little Colorado  
12 River and the Burlington Northern Santa Fe Railroad. I  
13 don't see that on the map. If you could orient the  
14 members and the chairman with respect to not only that  
15 but the potential location of the, I'll call it the BESS,  
16 the battery energy storage system, on that map, I think  
17 we're going to need those as we get further down the  
18 road.

19           Thank you, Mr. Chairman.

20           CHMN STAFFORD: Thank you, Member Fontes.

21           Any other questions from members?

22           (No response.)

23           CHMN STAFFORD: All right. Please proceed,  
24 Mr. Crockett.

25           MR. CROCKETT: Okay. Thank you, Chairman

1 Stafford. Let me -- Let's try to address some of those  
2 questions right now. Let me start -- with respect to the  
3 EMP, on a break we will reach out to the Company and see  
4 if we can identify someone who can speak to that, but let  
5 me just ask a couple of questions of Mr. Hoffbuhr on  
6 that.

7 Q. Mr. Hoffbuhr, does -- when Avangrid Renewables  
8 and Aurora Solar, as a subsidiary of Avangrid, when you  
9 design a substation, do you follow industry standard in  
10 doing that?

11 A. (MR. HOFFBUHR) Yes, we do.

12 Q. And does that industry standard incorporate sort  
13 of the current best thinking on security and safety?

14 A. (MR. HOFFBUHR) Yes.

15 Q. Okay. So we will -- we will try to follow up  
16 and see if we can provide some additional specific  
17 information on how that -- on how that works, and we'll  
18 do that on a break.

19 To Member Fontes's questions, with regard to the  
20 battery storage, Mr. Hoffbuhr and Mr. Hadley, we have a  
21 virtual tour coming up, does the virtual tour show the  
22 location of the battery storage within the project site?

23 A. (MR. HOFFBUHR) Yes, it does.

24 Q. And why is -- is there any -- has a final  
25 decision been made on whether the project will or will

1 not include battery storage?

2 A. (MR. HOFFBUHR) No, it has not. APS requires any  
3 projects that are bid into an APS RFP require a 1:1 ratio  
4 on solar generation to a battery having a battery  
5 component equal in size, which is why it's included as  
6 optional. To try to answer the question, we -- we won't  
7 know until APS tells us whether they want it and how --  
8 how large it's going to be -- they would like it to be  
9 the size of the BESS, so we've planned towards the  
10 maximum size that they want included in their proposals.

11 MEMBER FONTES: Mr. Chairman, clarification  
12 on my end.

13 CHMN STAFFORD: Yes, Member Fontes.

14 MEMBER FONTES: Does the System Impact  
15 Study, is that just for the solar or is it for the solar  
16 and the BESS?

17 MR. HOFFBUHR: It would be for the solar  
18 and the BESS.

19 MEMBER FONTES: So we need to look at for  
20 this purpose is for both, I would think. So, if you  
21 could, knowing that it's not yet decided, Mr. Chairman, I  
22 would recommend, as we looked at in the previous project  
23 that I participated on, that we do include that on all  
24 references at least with a notation, maybe a dotted hash  
25 line, because it could be relevant and if you file for it

1 with APS with an SIS, it's fair game here.

2 MR. CROCKETT: And if I --

3 MEMBER FONTES: Mr. Chairman.

4 CHMN STAFFORD: Yes, who said Mr. Chairman?

5 MEMBER FONTES: I did. Back to you.

6 CHMN STAFFORD: Okay. Thank you.

7 MR. CROCKETT: And could I just quickly  
8 follow up on that with a question? Member Fontes, when  
9 you say a dashed line, are you talking about where the  
10 battery would be located within the project?

11 MEMBER FONTES: Yes, sir. That would be  
12 useful just for a reference.

13 MR. CROCKETT: Okay. And when --

14 MEMBER FONTES: And refer to the SIS  
15 because, again, on the instructions that we have on  
16 previous hearings, with solar and storage specifically,  
17 that is a concern that the utility district permitting  
18 staff, and we want to fully address that as it relates to  
19 systems reliability, impact, operational, because it does  
20 go part and parcel with the line and the transmission  
21 issue that you should be aware of.

22 MR. CROCKETT: Yes. And I guess my -- my  
23 question on that is that my understanding of the  
24 jurisdiction is that the battery storage component of a  
25 power plant would be -- would not be subject to the line

1 siting process, like the power plant itself. So we  
2 could, for informational purposes, I guess we could show  
3 the location.

4 MEMBER FONTES: Yeah, for informational  
5 purposes, I agree, and it depends on the operational use  
6 in the RFP, because if they're using it for grid support,  
7 ancillary services, it's not clear. But we have been  
8 asked by the permitting staff to look at that in previous  
9 proceedings, so I'm just flagging it for informational  
10 purposes.

11 Does that help, Mr. Crockett?

12 MR. CROCKETT: Well, I -- yeah, we're going  
13 to talk a little bit more about the System Impact Study.  
14 That is a struggle. The applicant has testified that  
15 they requested that System Impact Study back in 2020.  
16 And we're now 2023. And that's been delayed several  
17 times. This project has been waiting on that.

18 We currently have a commitment of  
19 October 1, 2023, but it's not -- it's not an ironclad  
20 commitment, from what I understand, it's a target date.  
21 And we've had other targets that have come and gone. So  
22 we need to move forward with this project, and, you know,  
23 to the extent we need a condition, perhaps an additional  
24 condition in the CEC in terms of addressing, you know,  
25 submitting a copy of the System Impact Study when it



1 comes in, we can certainly do that. But without having  
2 that, you know, we're here at this hearing today without  
3 having that, we don't know how that would -- that battery  
4 storage would be addressed.

5 Q. And then I'll quickly ask, Mr. Hoffbuhr, I mean,  
6 there is a possibility if APS is not the offtaker here  
7 that it's some other Arizona offtaker, that that would  
8 not necessarily include a battery storage component; is  
9 that true?

10 A. (MR. HOFFBUHR) That is also a possibility, yes.

11 MR. CROCKETT: So -- so we may or may not have  
12 battery storage, and we need to talk about this. I  
13 think, you know, we can show, like I said, for  
14 informational purposes, where a battery storage facility  
15 would be located, but in terms of the details about that,  
16 we're going to be hard pressed to come up with those in  
17 this proceeding.

18 MEMBER FONTES: I recognize that. So I  
19 agree on the for informational purposes, but the  
20 characterizations and the updates would be much  
21 appreciated, because as we look at this, we want to  
22 consider, you know, the full utilization of that, as well  
23 as the upside and the downside, if you will, in terms of  
24 the base case and then the other factors.

25 Because, as you can imagine, a solar and a

1 storage project has a lot more implications on a  
2 transmission line, even though it's a small transmission  
3 line, especially if you're connected to that APS  
4 substation, just due to the nature of the battery,  
5 especially in Arizona with batteries. Long history  
6 there.

7 And so it's an emerging technology for  
8 sure. Appreciate it. I defer to -- back to the chairman  
9 there, and as I said, just trying to capture it so that  
10 we can be respectful of our permitting staff at the ACC  
11 who have asked us to look at it. So thank you.

12 CHMN STAFFORD: And, Member Fontes, I seem  
13 to recall a situation where we had the System Impact  
14 Study point out that the battery would not be able to  
15 grid charge during a certain period of time without  
16 potentially jeopardizing the substation or the grid in a  
17 prior case; is that -- is that what you're recalling?

18 MEMBER FONTES: I am, Mr. Chairman. And  
19 I'm also looking at it from the impact of that conductor,  
20 because if you're using that battery to go -- I'll call  
21 it bidirectional -- and you have like a black start  
22 capability, that conductor and that blowout range is --  
23 is sort of related here.

24 You know, I'm a finance guy who finances a  
25 lot of renewable projects all over the world, and I have

1 seen this in -- in events of force majeure on the  
2 financing side, of course we can't predict it because  
3 we're not there yet, but as I characterized it for  
4 Mr. Crockett, I think it's best if we capture it for  
5 informational purposes, again, on what it would be if we  
6 did have a battery operating in tandem with the solar and  
7 providing those additional value stream services.

8                   Again, just being respectful of the  
9 permitting staff, because they asked us to look at it,  
10 Mr. Chairman.

11                   CHMN STAFFORD: Thank you, Member Fontes.

12                   Any other questions from members?

13                   (No response.)

14                   CHMN STAFFORD: Please proceed,  
15 Mr. Crockett.

16 BY MR. CROCKETT:

17           Q.     Okay. Let's -- Mr. Hoffbuhr, let's continue on  
18 with Member Fontes's questions. With respect to the  
19 conductor, are you able to provide any additional detail  
20 or is that something that we need to follow up on?

21           A.     (MR. HOFFBUHR) I will follow up on that  
22 question.

23           Q.     Okay. We'll take that one back and see if we  
24 can get some additional clarification on the type of the  
25 conductor.

1           We've talked about the System Impact Study with  
2 APS. Finally, with respect to crossing over the Little  
3 Colorado River and the Burlington Northern Santa Fe  
4 Railroad, my -- let me just say, Mr. Hoffbuhr, is it my  
5 understanding correct that both of those are located  
6 within the APS property?

7           A.     (MR. HOFFBUHR) That is correct.

8           MR. CROCKETT: Okay. So Chairman Stafford,  
9 Member Fontes, I'm not recalling specifically your  
10 question on that. Could you repeat the specific question  
11 on the Little Colorado River and railroad right-of-way?

12           MEMBER FONTES: I thought it might be  
13 useful so that my fellow members and the chairman, of  
14 course, would know where that is. For sure you're asking  
15 me, and I have a utility background, as you might tell,  
16 so what is that implication with APS? Is APS going to  
17 have to get those permissions? And does that trigger any  
18 kind of additional environmental or permitting on their  
19 end that could impact, you know, and stuff, so I'm  
20 looking at the effect on that and the impact.

21           MR. CROCKETT: Okay.

22           MEMBER FONTES: Not only the location for  
23 the map, but also the impact. So, again, don't need the  
24 answers right now but before we get through this, I'd  
25 appreciate that. Again, I think it might be useful for

1 my colleagues.

2 MR. CROCKETT: Okay. Thank you, Chairman  
3 Stafford and Member Fontes, I understand the question now  
4 and I think we can probably tackle this now.

5 Q. Let's begin, Mr. Hoffbuhr, would you -- would  
6 you identify on the map, and I don't know if we can use  
7 the green laser, that's a little more precise, but can  
8 you show -- but that doesn't show up for the virtual, so  
9 maybe we better use the -- let's use the broader -- the  
10 pointer. But show the Little -- the layout of the Little  
11 Colorado River, how it -- how it runs along the boundary  
12 of the APS property.

13 A. (MR. HOFFBUHR) Sure. Before I do that, I will  
14 also say that this map obviously doesn't do a great job  
15 of showing this, but we do have some exhibits further  
16 along that will show more detail in this area. So it  
17 will be much more clear where the gen-tie route falls in  
18 relation to the river and the railroad.

19 But for now, I will -- the river runs more or  
20 less parallel to Interstate 40, down through here, where  
21 it goes underneath all the existing APS transmission. So  
22 we will be crossing -- crossing the Little Colorado River  
23 right through here. And the substa- -- or, sorry, the  
24 railroad sits on the north -- northeast side of the river  
25 coming down through here.

1 Q. And, Mr. Hoffbuhr, when you say the river  
2 "runs," does the Colorado River run or is it an  
3 intermittent stream?

4 A. (MR. HOFFBUHR) I'm going to -- I'll kick that  
5 one over to our environmental team to answer.

6 A. (MR. HADLEY) I would agree that it's typically  
7 more intermittent.

8 A. (MR. POHS) It's classified as intermittent flow.

9 Q. And for purposes of the committee here what  
10 is -- what is an intermittent river?

11 MEMBER KRYDER: Thank you.

12 MR. POHS: Perennial flow is all year,  
13 intermittent is generally in response to snow melt, and  
14 ephemeral is in response to direct precipitation. So it  
15 only flows seasonally, probably early winter to late  
16 spring.

17 BY MR. CROCKETT:

18 Q. So other times of the year, this would look like  
19 a dry wash?

20 A. (MR. POHS) Correct. As it does, I was just out  
21 there a month ago, yeah, it's completely dry.

22 Q. Okay. And then with regard to the BNSF  
23 right-of-way that railroad -- the railroad tracks are  
24 located on APS property where you would cross it; is that  
25 correct?

1 A. (MR. HOFFBUHR) Yes.

2 Q. And -- and we don't know where yet where the  
3 gen-tie on the APS property is going to be located; is  
4 that correct?

5 A. (MR. HOFFBUHR) That's correct. And that's why  
6 we have not engaged with them quite yet. We want a  
7 better idea of where APS would want to route that  
8 gen-tie.

9 Q. Okay. So once Aurora Solar works out with APS  
10 where that CEC-2 gen-tie will be located, then you will  
11 go to BNSF and obtain the appropriate crossing  
12 right-of-way?

13 A. (MR. HOFFBUHR) Yes, that's correct.

14 Q. Okay.

15 CHMN STAFFORD: Mr. Crockett, just to clarify,  
16 so when it crossed -- where the line will cross the  
17 Little Colorado and the rail line, both of those will be  
18 for CEC-2?

19 MR. CROCKETT: Can I -- my witnesses are nodding  
20 yes. Yes, those -- that will all be located within the  
21 APS property.

22 Q. And let me just go a step further, in terms --  
23 and I'll direct this maybe either to Mr. Miner or  
24 Mr. Pohs, but is the -- does the public have access to  
25 the Little Colorado River on the APS property?

1 A. (MR. MINER) No, there is no public access to  
2 either the river or to the railroad itself. The project  
3 crosses private property and APS-owned property only.

4 Q. And with getting back to the question of Member  
5 Kryder on security, with regard to the substation, the  
6 substation is located on Aztec Land & Cattle property; is  
7 that correct?

8 A. (MR. HOFFBUHR) Yes, that is correct.

9 Q. And is there public access to that property  
10 without trespassing?

11 A. (MR. HOFFBUHR) No, it would be almost a mile.  
12 It's a mile off of the public road facility.

13 Q. Okay. Okay. Well, we will -- we'll find out  
14 some more on the EMP question, but I just wanted to get  
15 those on the record while we're here.

16 CHMN STAFFORD: Member Kryder?

17 MEMBER KRYDER: Thank you, Mr. Chairman.

18 Mr. Crockett, did I properly understand  
19 that the river is buried as it goes through a section of  
20 this? Somebody said the river flows down and then did  
21 something, does it flow on the surface or is it a river  
22 that's been buried?

23 MR. POHS: Mr. Chairman, Member Kryder, it  
24 flows subsurface, so right now it's actually dry at the  
25 surface.



1 MEMBER KRYDER: Okay.

2 MR. POHS: But, typically, starting in the  
3 late winter and early spring it flows on the surface all  
4 the way to the Colorado River, right.

5 MEMBER KRYDER: Okay. That's what I did  
6 not understand. Thank you very much.

7 MR. POHS: Sure.

8 CHMN STAFFORD: Member Little, you had a  
9 question?

10 MEMBER LITTLE: Yes. My question has to do  
11 with it is somewhat consistent with previous questions, I  
12 think. The CEC-2 that you are requesting for the  
13 APS -- or the portion of the gen-tie that will be on APS  
14 property, they don't have to come back in and ask, once  
15 the route is more defined, they don't have to come back  
16 and request a CEC, even though that section of the line  
17 will be owned by APS?

18 MR. CROCKETT: Chairman Stafford, Member  
19 Little, that is my understanding, yes. Now, I did get an  
20 e-mail from attorney Linda Benally at APS, that said with  
21 respect to CEC-2, that there might in the future be a  
22 need to amend that CEC, depending upon where the line  
23 goes. But because we know we have to cross the APS  
24 property to get to the substation, there are other  
25 entities that will be connecting into that substation, so

1 we're going to have to work with them. Since we don't  
2 know where that gen-tie line is going to go, we could  
3 have guessed and just put a theoretical gen-tie line on  
4 the map for CEC-2, but we don't know -- we don't  
5 even -- can't even make an educated guess on where it  
6 would be until APS tells us where they want us to connect  
7 into the substation. So what we're asking for in CEC-2  
8 is essentially a corridor that is -- that covers the APS  
9 substation property.

10 MEMBER LITTLE: Who is building and paying  
11 for the line all the way into the substation?

12 MR. CROCKETT: Let me -- let me ask that of  
13 my panel.

14 Q. Who would like to take that question?

15 A. (MR. HOFFBUHR) I can take that. We, depending  
16 on the System Impact Study and the facilities study  
17 results, you know, and any necessary upgrades required,  
18 there could be some network upgrades and direct design  
19 costs as a result of us connecting in at Cholla. As for  
20 the gen-tie itself, we will be building that line and  
21 paying for that line.

22 MEMBER LITTLE: And then turning ownership  
23 over to APS?

24 MR. HOFFBUHR: Yes. At a defined point of  
25 change of ownership that APS provides.

1 MEMBER LITTLE: Does that presume that APS  
2 is the oftaker or does it matter?

3 MR. HOFFBUHR: Any -- any power delivered  
4 from this project would be delivered via APS, whether  
5 they're the customer or somebody on their system is the  
6 customer, we are connecting with APS at Cholla.

7 MEMBER LITTLE: Okay. I have a second  
8 question -- thank you for your answer to that.

9 MR. HOFFBUHR: Yes.

10 MEMBER LITTLE: And that is that I've been  
11 looking at not just this project but several of the  
12 others with respect to the timing of all of these solar  
13 projects, mostly solar but some wind also, and the  
14 planning process that the State goes through with respect  
15 to, like, the biennial transmission assessment, the  
16 10-year plans, as required by law.

17 And I'm wondering why, if this project  
18 requested a System Impact Study in 2020, why the first  
19 10-year plan was not filed until 2022? Anticipated  
20 projects are supposed to file 10-year plans.

21 MR. CROCKETT: Yes, Chairman Stafford and  
22 Member Little, I don't know the answer to that. I  
23 haven't been working for Avangrid that long, and I don't  
24 know.

25 Q. Does anyone from Avangrid know why -- why that

1 didn't -- why that did not occur earlier?

2 A. (MR. HOFFBUHR) I do not know.

3 MEMBER FONTES: Mr. Chairman, I might  
4 provide some insight into that.

5 CHMN STAFFORD: Yes, Member Fontes.

6 MEMBER FONTES: You can't file a 10-year  
7 plan until you have a project. They haven't even bid on  
8 it in terms of a RFP. So they're basing the project  
9 based on the integrated resource plan on the need for  
10 additional resource. I see this a lot and all over the  
11 country in the projects that I finance, Member Little,  
12 it's very common.

13 So if they have an award, they -- they  
14 should file, but it's speculative until such a time as  
15 they have an award on a RFP. I hope that helps. That's  
16 what I know in other jurisdictions around the country.

17 MEMBER LITTLE: Well, that may be true, but  
18 I think here if the project developer here requested a  
19 System Impact Study for this anticipated project, it  
20 sounds to me like the project was at least well enough  
21 defined at that point that they could say, you know, we  
22 need a System Impact Study for interconnecting X, Y, Z to  
23 the system. And in that case, it is my understanding  
24 that under State law the 10-year plan should have been  
25 filed.

1 And as I say, I'm not pointing fingers  
2 necessarily at you guys, because this is happening with a  
3 lot of these projects. And it makes the process of  
4 studying the transmission system in Arizona for 10 years  
5 very difficult, and not particularly accurate. And so  
6 I'm curious as to why not. Did the project developers  
7 not know they needed to? Is it, you know, what is the  
8 reason why this has not happened?

9 Thank you.

10 MR. CROCKETT: And Chairman Stafford and  
11 Member Little, I'll take a swing at that. APS, TEP --

12 MEMBER FONTES: UniSource.

13 MR. CROCKETT: -- UniSource, Salt River  
14 Project, these -- these are utilities in Arizona.  
15 They're well aware of the line siting rule, the  
16 requirements for a 10-year plan, so for a lot of years  
17 before we had competition or at least renewable projects  
18 in Arizona, the utilities would file these applications  
19 and they were well aware of the rules.

20 Based on my experience, working with other  
21 providers who are very sophisticated, I think that they  
22 don't know generally. They start looking at a project in  
23 Arizona, they look at a RFP, for example, and they start  
24 getting ready to submit the bid. At some point along the  
25 path they figure out, oh, we need a 10-year plan, so here

1 we filed the first 10-year plan in January 2022, the  
2 second one in January 2023. I'm not sure at one point,  
3 to Member Fontes, his comment, I agree with that.  
4 There's, in my view, sort of a ripeness issue on a  
5 project. I mean, I hear your point that once you've  
6 requested an interconnection, maybe the project's ripe  
7 enough to file a 10-year plan. But it's not necessarily  
8 that clear to some of these applicants coming into  
9 Arizona, especially if they're newer to the market and  
10 haven't been here for a long time.

11 MEMBER LITTLE: Mr. Chairman?

12 CHMN STAFFORD: Yes, Member Little.

13 MEMBER LITTLE: I could not find this  
14 project in the most recent BTA, at least by name. Does  
15 anybody know whether it actually was included there? I  
16 know that there is a table of queue -- of projects that  
17 are in the queue for the different utilities, also  
18 whether there are -- there's a list of unidentified  
19 projects that will be connected at various different  
20 substations, including this one.

21 I -- but does anybody know whether or not  
22 this project was included in the studies that were done  
23 specific to the most recent BTA?

24 MR. CROCKETT: Chairman Stafford, Member  
25 Little, I don't know. But let me -- let me just confirm

1 with either Mr. Hoffbuhr or Mr. Hadley.

2 Q. You do have a queue position with APS; is that  
3 correct?

4 A. (MR. HOFFBUHR) Yes, we do.

5 MR. CROCKETT: So I can only assume that  
6 they're listed as one of the queue positions in that  
7 report. The other thing, the project has been referred  
8 to as "Obed Meadow," the applicant is actually Aurora  
9 Solar, so I don't know if it might appear as Obed Meadow  
10 or whether it would be Aurora Solar. Not sure.

11 MEMBER LITTLE: I looked for both and  
12 didn't see them, but I might have missed it also, so --

13 MR. CROCKETT: Okay. Well, I can't answer,  
14 and I don't know that there's anyone on the panel that's  
15 able to answer that question.

16 MEMBER LITTLE: Thank you.

17 CHMN STAFFORD: Please proceed,  
18 Mr. Crockett.

19 MR. CROCKETT: Okay. Thank you, Chairman  
20 Stafford. So let me move to Mr. Hadley now for the next  
21 series of questions.

22 Q. Mr. Hadley, would you provide some additional  
23 detail, more specifics regarding the proposed gen-tie  
24 route, the corridor, and the right-of-way?

25 A. (MR. HADLEY) Certainly. The proposed gen-tie

1 line, as shown on slide 32, will be a new 230-kV  
2 transmission line, approximately 2.8 miles in length  
3 connecting the proposed solar facility, as we've  
4 discussed, to the existing Cholla Substation at the other  
5 terminus of the line owned by APS.

6 Our project area map which is provided on a  
7 placemat for this hearing is also included in the CEC  
8 application as Figure 2. This map illustrates that the  
9 proposed gen-tie line route and requested corridor, the  
10 majority of which is sited adjacent to the existing 345-  
11 and 500-kV transmission lines.

12 The 345-kV transmission lines are shown in blue  
13 and the 500-kV transmission lines are shown in green.  
14 These different quadrants here with quite a bit of the  
15 lines crossing or immediately adjacent to the proposed  
16 gen-tie line. We also would like to note the APS  
17 property lines we've been discussing in this brown. This  
18 encompasses all of the APS property lines, in addition to  
19 the Cholla Substation within those brown lines.

20 For CEC-1, which is shown in this light gray  
21 color here, we are requesting a 1,000-foot-wide corridor  
22 on privately owned parcels, totaling approximately  
23 2.55 miles, per our presentation, but we did want to  
24 confirm that in the filed CEC that we'll review tomorrow,  
25 it is, in fact, 2.54 miles, so just a rounding error in



1 the presentation.

2 CEC-2, and it's going to be shown in a different  
3 map to be a little clearer is this darker gray. This is  
4 a requested variable width corridor, entirely on  
5 APS-owned land.

6 MEMBER FONTES: Mr. Chairman, I have a  
7 clarification on that last reference.

8 CHMN STAFFORD: Yes, Member Fontes.

9 MEMBER FONTES: Can you tell us who owns  
10 the 500-kV? I assume the 245-kV line is APS, but is the  
11 500-kV APS too?

12 MR. CROCKETT: Okay. So let's back up one  
13 slide, if we could.

14 MR. HADLEY: Chairman Stafford, Member  
15 Fontes, the -- there are two 500-kV lines, which will be  
16 crossing the proposed gen-tie line route. One of those  
17 is owned by APS and the other is by SRP, Salt River  
18 Project.

19 MEMBER FONTES: None of them are federal?

20 MR. HADLEY: No, sir, not based on -- not  
21 based on readily available database information.

22 MEMBER FONTES: Okay. Thank you.

23 But on the SRP, it's not SRP operating a  
24 Bureau of Reclamation line? The reason I'm asking is it  
25 triggers NEPA in some areas. So if somebody could track

1 that down, Mr. Crockett, for the committee, that would be  
2 very useful, especially up in this part of the country.

3 MR. HADLEY: Understood. We can definitely  
4 take a deep dive on that. Thank you.

5 BY MR. CROCKETT:

6 Q. Okay. So, Mr. Hadley, would you -- so we've  
7 talked about gen-tie 1 and gen-tie 2. Let's -- lets, if  
8 we could for a moment, let's actually look at the  
9 proposed maps, if we could put up OM-7A.

10 Okay. So, Mr. Hadley, are you familiar with the  
11 exhibit we see on the screen as OM-7A?

12 A. (MR. HADLEY) Yes.

13 Q. That may have been the same one we were looking  
14 at just now on the slide, but I just wanted --

15 A. (MR. HADLEY) Very similar, yes.

16 Q. -- I wanted to have the exhibit number. So is  
17 this the -- is this the diagram that Aurora Solar would  
18 request be attached to CEC-1 or what will be called  
19 CEC-222-A?

20 A. (MR. HADLEY) Yes.

21 Q. Okay. And so -- and I -- I don't know if you  
22 talked about this, but at the northeastern end of  
23 the -- of the CEC-1, we have a corridor that's wider than  
24 a thousand feet, would you just clarify and maybe with  
25 your -- with your -- this one will need the green

1 pointer, just point out where we're talking about, and  
2 explain the need for the wider corridor at the -- at the  
3 northeast end.

4 A. (MR. HADLEY) Certainly. So similar to the need  
5 for CEC-2 and the variable width corridor, at the  
6 terminus of our CEC-1, that we see here, we encompass a  
7 much larger area to also include the right-of-ways for  
8 the 500-kV lines that will cross our project, so  
9 therefore, in future conversations with APS, if they  
10 request a parallel or co-locator, some other  
11 configuration within the existing right-of-ways, we can  
12 incorporate that rather than have to come back for an  
13 amended CEC just for this specific area.

14 Q. Okay. And now can we put up OM-7B.

15 Okay. So this is the -- this is the -- well,  
16 let me ask, Mr. Hadley, is this the diagram that Aurora  
17 Solar is requesting be attached as Exhibit A to the  
18 CEC-2, also known as CEC-222-B?

19 A. (MR. HADLEY) Yes.

20 Q. Okay. And with regard to these corridors,  
21 whether it's CEC-1 or 2, does the corridor grant to  
22 Aurora Solar exclusive right to locate power lines within  
23 that corridor?

24 A. (MR. HADLEY) It does not. It would be solely  
25 for the permission from the committee to then move

1 forward with land negotiations and other design studies,  
2 et cetera, to eventually acquire the land.

3 Q. And you will need to accommodate what APS  
4 requests of you in terms of connecting at the point of  
5 interconnection, correct?

6 A. (MR. HADLEY) Correct.

7 Q. And there may be other renewable projects coming  
8 into that substation that you will also have to  
9 coordinate with to get all of the parties into the  
10 substation that need access?

11 A. (MR. HADLEY) That's correct.

12 Q. And is Aurora Solar committed to work with APS  
13 and with other providers to make sure that we can work  
14 out a way to get the people in that need to get into that  
15 substation?

16 A. (MR. HADLEY) Yes.

17 Q. Okay. All right. Thank you.

18 MEMBER RICHINS: Chairman?

19 BY MR. CROCKETT:

20 Q. With regard to, just quickly, with regard to --

21 CHAIRMAN STAFFORD: Oh, one moment. Member  
22 Richins?

23 MEMBER RICHINS: Yeah, just a quick  
24 question. Is it standard practice for the utilities to  
25 end the gen-ties at the property lines before they go to

1 the substation, then I'm assuming the utilities take it  
2 from there to do the tie-in? Is that -- does SRP and APS  
3 both do that, is that pretty standard?

4 MR. CROCKETT: Chairman Stafford, Member  
5 Richins, I'm not sure I can tell you what is pretty  
6 standard. I don't know if anyone on my panel knows what  
7 would be standard on that.

8 Q. Mr. Hadley?

9 A. (MR. HADLEY) Sure. Chairman Stafford, Member  
10 Richins, so typically, if we were procuring the  
11 right-of-way all the way to the fence line of the  
12 interconnection owner, in this case APS, typically from  
13 the APS fence line forward they would want to control  
14 that. Now, we may design, procure, and construct it, but  
15 it would be under their oversight and guidance.

16 MEMBER RICHINS: Oh, okay.

17 MR. HADLEY: So sometimes there may be a  
18 gray area, but it would be fully up to them on what goes  
19 within their property line.

20 MEMBER RICHINS: Got it. Okay. So  
21 final -- your final pole is right at their property line  
22 and then they take off from there, even if you guys  
23 construct it at some point?

24 MR. HADLEY: So I think that would be a bit  
25 of a clarification point with APS, whether they want the

1 true demarcation to be at the property line regardless of  
2 whether there's a structure there or not. So that would  
3 be something we would work out with them and mutually  
4 agree upon.

5 MEMBER RICHINS: Okay. I've been hearing  
6 SRP is starting to do -- starting to look at solar  
7 interconnects that way, so I was just curious if this was  
8 something that's been going on, so thank you.

9 MEMBER FONTES: Mr. Chairman,  
10 clarification?

11 CHMN STAFFORD: Yes, Member Fontes.

12 MEMBER FONTES: So what about the access  
13 roads? You've got a lot of access roads on the map.  
14 It's very common in utility practice that if APS owns a,  
15 inside the fence on the substation, and there's 500-kV  
16 lines of SRP, that SRP will have access roads. Your pole  
17 placement may trigger a permission from a different  
18 utility.

19 I have actually had a major faux pas on a  
20 project in Arizona on that, in the last 12 months, so I'm  
21 sharing both a lesson learned, but also a question. Have  
22 you checked the access road ownerships with respect to  
23 the preliminary design and the permissions that you're  
24 planning for?

25 MR. CROCKETT: Chairman Stafford, Member

1 Fontes, I'll throw that over to the committee. I don't  
2 know if that's TetraTech that did the land use survey  
3 there or if either Mr. Hoffbuhr or Mr. Hadley --

4 MR. HOFFBUHR: I can try to tackle that  
5 one.

6 MR. CROCKETT: Okay.

7 MR. HOFFBUHR: As mentioned earlier, we  
8 have basically two landowners on this project. We have  
9 the solar facility and the gen-tie are located on a  
10 single landowner up to the APS property. So going from  
11 the solar facility to the APS property line, we have  
12 secured access.

13 Now, once we cross onto APS property, our  
14 understanding at this point is that would potentially be  
15 the point of change of ownership of the gen-tie to APS,  
16 so APS would have rights to the roads on their own  
17 property.

18 MEMBER FONTES: And is there a SRP access  
19 road around, on the exterior of the fence, like I  
20 encountered on a project in the last three months here in  
21 Arizona next to a 500-kV line? See what I'm saying?

22 MR. HOFFBUHR: Yeah, yeah.

23 MEMBER FONTES: Because SRP usually, and  
24 Western Area Power Administration, and other utilities  
25 will have access roads that are in their name and that

1 that pole placement, as you get -- as you go into the  
2 substation may be a factor. So that's what I'm just  
3 asking to -- to confirm.

4 MR. HOFFBUHR: Chairman Stafford and Member  
5 Fontes, if that were to be the case, that SRP access road  
6 would be on our landowner's property, and they would have  
7 an easement from our landowner. They would not own the  
8 access road. They would have an easement across. There  
9 is no SRP-owned property or APS-owned property on the  
10 other side of the fence. It's a single landowner.

11 MR. HADLEY: And Chairman Stafford, Member  
12 Fontes, if I may kind of elaborate. I think, generically  
13 speaking, for permissions to cross the APS and SRP line,  
14 the permission to cross, there's another smaller  
15 distribution line along the route for the crossing of the  
16 BNSF Railway, all of those will be coordinated with APS  
17 and the other utilities or corporations at that time.

18 I think we understand that there may be  
19 additional permissions to different degrees that are  
20 required for the project, so we will pursue all of those,  
21 including, back to your earlier question, the Colorado  
22 River crossing, even if APS is to own the entire length  
23 of CEC-2, we would be -- we would welcome and, you know,  
24 be more than happy to lead the permitting efforts to  
25 ensure avoidance, implement all of those things.



1 I think we do acknowledge that additional  
2 research will be required as we have the conversations  
3 with APS and fully site CEC-2.

4 MEMBER FONTES: See, I'm only asking  
5 because we're going to get up into things like visual  
6 impact, both vertically and horizontally, and if you  
7 don't know where those are, it's going to be hard to  
8 describe certain aspects of geotechnical impacts on  
9 wildlife. So just trying to get some background here. I  
10 do appreciate that you're dealing with some uncertainty,  
11 based on where you're at in the development effort and  
12 the System Impact Study, but you're -- I'm just noting it  
13 so you characterize it in that way for the other members.

14 Thank you.

15 MR. CROCKETT: Well, if we could, I think  
16 I'm finished with these two exhibits for the moment, if  
17 we could go back to the PowerPoint presentation.

18 CHMN STAFFORD: Mr. Crockett, we've been  
19 going for approximately 90 minutes, I think it's probably  
20 time to give the court reporter a break.

21 Let's take a 10- to 15-minute recess.

22 MR. CROCKETT: Okay. Maybe if we can give  
23 do a 15-minute to give us a little bit more time to get a  
24 couple of answers.

25 CHMN STAFFORD: Let's make it 20.

1 MR. CROCKETT: Okay. That's a deal.

2 MEMBER RICHINS: Do I hear 30?

3 CHMN STAFFORD: We'll be back in  
4 approximately 20 minutes. We stand in recess. Thank  
5 you.

6 (Recessed from 2:34 p.m. until 2:57 p.m.)

7 CHMN STAFFORD: Let's go back on the  
8 record.

9 Mr. Crockett.

10 MR. CROCKETT: Thank you, Chairman  
11 Stafford. Let us handle one of the questions from Member  
12 Fontes. We're still working on a couple other things.

13 Q. But with regard to the conductors, Mr. Hoffbuhr,  
14 did you make inquiry on that during the break?

15 A. (MR. HOFFBUHR) I did.

16 Q. And can you explain what you found out with  
17 respect to the current thinking on the conductors?

18 A. (MR. HOFFBUHR) Yeah, I confirmed with our  
19 engineering team that it will be an ACSR, which stands  
20 for aluminum conductor steel reinforced line.

21 Q. Okay. So -- and then I wanted to get back to  
22 Mr. Hadley and finish up a couple of things with regard  
23 to the gen-ties 1 and -- or the CECs 1 and 2.

24 So Mr. -- Mr. Hadley, with regard to CEC-1,  
25 does -- is Aurora Solar -- does Aurora Solar have a

1 right-of-way already contracted for?

2 A. (MR. HADLEY) Yes, we do. For -- it is a  
3 150-foot right-of-way for the length that would follow  
4 the dashed line up to the APS property line.

5 Q. And the entity that granted you that  
6 right-of-way is the same entity that you are leasing the  
7 property from that will -- where the power plant will be  
8 located?

9 A. (MR. HADLEY) That's correct.

10 Q. Okay. And was there a need to propose an  
11 alternative route to the gen-tie proposed in CEC-1?

12 A. (MR. HADLEY) No, sir.

13 Q. And is that because you have the right-of-way  
14 really locked up at this point?

15 A. (MR. HADLEY) That is correct. And we are  
16 requesting the 1,000-foot-wide corridor, and then if  
17 there are any requirements from an environmental or  
18 engineering that would necessitate a need to be outside  
19 of the 150-foot right-of-way, we would then, of course,  
20 work with the private landowner to amend that to capture  
21 the new needed area within the corridor approved by the  
22 committee.

23 Q. Okay. And, Mr. Hadley, is there anything else  
24 you wanted to say or add with regard to CEC-1?

25 A. (MR. HADLEY) No, sir.

1 Q. Okay. Then with regard to CEC-2, do you want to  
2 provide a little more detail on that leg of the gen-tie?

3 A. (MR. HADLEY) Sure. So CEC-2 is currently  
4 proposed at approximately .25 miles, assuming a straight  
5 line drawing from the terminus of CEC-1 to the Cholla  
6 Substation. Of course, the final route and corridor or  
7 the right-of-way within APS property will be determined  
8 upon further conversations with APS, but that is our  
9 current kind of assumption that it should be in that  
10 .25 miles distance.

11 Q. So, Mr. Hadley, on the slide we're looking at,  
12 slide 36, where I see the cursor located now, the orange  
13 dot, is that dark gray the substation site?

14 A. (MR. HADLEY) That is correct. That is the  
15 location of the Cholla Substation.

16 Q. Okay. And then the gray that is surrounded by  
17 the dashed line, is that the gen-tie corridor for CEC-2  
18 that the company is requesting?

19 A. (MR. HADLEY) Yes. And that encompasses  
20 approximately 147 acres in the area shown.

21 Q. Okay. And then the lighter gray to the south  
22 and the west, does that show the tail end of CEC-1 coming  
23 in?

24 A. (MR. HADLEY) That is correct.

25 Q. Okay. So, if you would, just go over the

1 outline of the corridor that's being requested for CEC-2.

2 A. (MR. HADLEY) Certainly. Will do so here from  
3 the bottom of the screen, so you can follow this here.  
4 This is the 147 acres that we noted entirely owned by  
5 APS. And the assumption is this large kind of variable  
6 width corridor, as we're calling it, should be sufficient  
7 to work with APS and any other interconnecting entities  
8 to site the CEC-2 portion of our gen-tie line project.

9 Q. Will you also use your pointer to highlight the  
10 Little Colorado River?

11 A. (MR. HADLEY) Yes, sir. So it is here, and then  
12 also since they are also adjacent, this is the railway  
13 that we have talked about from BNSF.

14 Q. Okay. And what is the blue down to the -- over  
15 on the right-hand side?

16 A. (MR. HADLEY) Yes. I believe these would be  
17 the -- this would be the cooling pond for the Cholla  
18 Power Plant.

19 Q. Okay. All right. So, Mr. Hadley, is there  
20 anything else to add at this point on CEC-2?

21 A. (MR. HADLEY) The only thing that I would add,  
22 just to reiterate what we did discuss earlier, is any  
23 additional siting or, I guess, true siting of the gen-tie  
24 line route on APS property, and anything that comes with  
25 that crossing of the Colorado River, just your standard

1 environmental studies and surveys that we did for the  
2 rest of the project, the crossing of the BNSF Railway,  
3 all that will be led or done in cooperation with APS once  
4 we have those further conversations.

5 Q. Is -- is it your understanding that a permit  
6 would be required to put a transmission line over the  
7 Little Colorado River?

8 A. (MR. HADLEY) At this time, we do not believe so.

9 Q. But you do believe you'll need permission from  
10 BNSF Railroad to put -- to cross over their railroad  
11 tracks?

12 A. (MR. HADLEY) That's correct. And in our  
13 experience, the railroad companies are very busy and  
14 approvals take time. So since we are still early in the  
15 project, we have not coordinated with them yet, and will  
16 do so once we have talked with APS. That way we're  
17 making sure everybody's time is used efficiently.

18 Q. So any other approvals or permits that you need,  
19 you will apply for once you finalize a gen-tie route with  
20 APS?

21 A. (MR. HADLEY) Correct. Or we will work with APS  
22 if they would prefer to lead that process, et cetera.

23 MEMBER KRYDER: Mr. Chairman?

24 CHMN STAFFORD: Member Kryder.

25 MEMBER KRYDER: Mr. Hadley, I -- did I hear

1 incorrectly that the gen-tie line will not cross the  
2 river?

3 MR. HADLEY: Chairman Stafford, Member  
4 Kryder, we do believe it will cross the river, but we do  
5 not believe that that crossing in and of itself will  
6 require its own environmental permit. We would -- we  
7 would span over the river with our transmission line,  
8 which would not require any other specific approval just  
9 for that location.

10 MEMBER KRYDER: Thank you very much.

11 MEMBER RICHINS: Chairman?

12 CHMN STAFFORD: Member Richins.

13 MEMBER RICHINS: That falls just within the  
14 CEC-2, the crossing?

15 MR. HADLEY: Yes.

16 MEMBER RICHINS: How many other power lines  
17 cross the river near this location? It's, yeah, it's on  
18 the placemat, but just I wanted that read into the  
19 record.

20 MR. HADLEY: Sure. Chairman Stafford,  
21 Member Richins, I think there are -- I believe there are  
22 seven based on our project area map.

23 MEMBER RICHINS: That already cross the  
24 river and the -- and the railroad tracks?

25 MR. HADLEY: That is correct.

1 MEMBER RICHINS: Okay. So it's -- I would  
2 imagine that the governing entities over those are used  
3 to these applications.

4 MR. HADLEY: Sure. That is a good point,  
5 not a new process for them.

6 MEMBER RICHINS: Okay, thank you, sir.

7 MR. CROCKETT: Yeah, and Chairman Stafford,  
8 Member Richins, I think we're going to do the virtual  
9 tour next. This is a highly developed area for utility  
10 infrastructure. And so that will become apparent.

11 Q. But, Mr. Hadley, I think we're to the point in  
12 the process where I would like you to take us through a  
13 virtual simulation of the gen-tie -- of the substation  
14 location and the gen-tie route.

15 So if Peaks will cue that up right now. And I  
16 will let you do the narration. And as we go through, if  
17 any of the members of the committee have any questions,  
18 please let us know, we'll stop the tour and you can ask  
19 away.

20 A. (MR. HADLEY) Thank you.

21 Q. And maybe before we get started here, this is  
22 what I was referring to as far as the battery storage, so  
23 maybe we could -- I'll let you take it from here.

24 A. (MR. HADLEY) Sure. Thank you, Mr. Crockett.

25 So before we get started with the video itself,



1 just to orient us, we are on the western terminus of  
2 CEC-1, and this would be the project substation here,  
3 bigger picture is you can see directly in front of us, in  
4 the right-hand side of your screen, this would be the  
5 potential battery storage location. And that's based on  
6 the current design of the project. And then these areas  
7 here would be the potential solar project.

8           And then kind of some general more geographic  
9 information, kind of in this area, just outside of the  
10 screen at the top left of our screen, would be off  
11 towards the direction of Joseph City. And we can start  
12 playing, and I'll pause this in just a second when we get  
13 to the substation to give us a little better view. Now  
14 we're going to pan towards our substation, kind of  
15 heading towards the east, southeast right now. And let's  
16 pause right here.

17           So looking in front of us, we can see the fenced  
18 enclosure around the project substation, that 7-foot tall  
19 fence. All of the substation and electrical  
20 infrastructure would be within that fenced enclosure.  
21 And then for the transmission line, the gen-tie itself,  
22 these are our first three structures.

23           We do want to note that these structures are the  
24 types from Exhibit 24. And then before we proceed with  
25 the rest of the line towards the east, I did want to give

1 a couple other references.

2 So this large area here is the Cholla Power  
3 Plant with the substation immediately adjacent to it on  
4 the left-hand side, and then kind of pretty much across  
5 the horizon from left to right, they'll become a little  
6 more visible as you move forward, but there are a number  
7 of transmission line structures from the several  
8 transmission lines coming from Cholla that are either  
9 adjacent to or eventually crossing our gen-tie project.

10 Q. And, Mr. Hadley, I know that Mr. Miner is going  
11 to be address this in his environmental survey of or  
12 survey of current existing uses, but what generally the  
13 land that we're seeing here, what generally is the use of  
14 that land?

15 A. (MR. HADLEY) Yeah, so that is a great reference.  
16 So as we can see, there are really no other developments  
17 on the landscape, and it is pretty much undeveloped range  
18 land for the most part, and relatively flat as well,  
19 which hopefully this gives a good idea on.

20 MEMBER KRYDER: And, Mr. Hadley, if I  
21 might, this is a correct current view, this is not  
22 modified in any way?

23 MR. HADLEY: No, sir. Everything other  
24 than our proposed infrastructure is modeled, but all of  
25 this other infrastructure is correct and accurate.

1 MEMBER KRYDER: Okay. So the proposals  
2 there on the front and center are modeled in as part of  
3 this project?

4 MR. HADLEY: Yes, sir. Same with the, what  
5 were the solar panels in the -- the polygons for the  
6 battery storage. Those are all modeled based on our  
7 current designs. But all of the transmission line  
8 structures existing in the Cholla Power Plant and the  
9 cooling towers are all based on existing infrastructure.

10 MEMBER RICHINS: Chairman?

11 CHMN STAFFORD: Yes, Member Richins.

12 MEMBER RICHINS: So the green square on the  
13 placemat, the small green square is what we're looking at  
14 right here?

15 MR. HADLEY: That is correct.

16 MEMBER RICHINS: And then if we were to  
17 turn that placemat and look down, we're looking straight  
18 down that road; is that correct?

19 MR. HADLEY: That is correct. And thank  
20 you for that orientation with the placement. That's a  
21 great visual in front of you.

22 BY MR. CROCKETT:

23 Q. And, Mr. Hadley, I know you're not hardly  
24 getting out of the gate on this presentation, but the  
25 road that we see here, the gray road, is that an existing

1 road today?

2 A. (MR. HADLEY) That is not. And that's a great  
3 point I was going to touch on. So that road that we can  
4 see -- that road that we can see on the right side of our  
5 screen, that is a future road, a gravel road that we will  
6 construct to access the project substation.

7 MEMBER GOLD: Mr. Chairman?

8 CHMN STAFFORD: Yes, Member Gold.

9 MEMBER GOLD: So your map is actually  
10 oriented instead of north at the top, you have east at  
11 the top?

12 MR. HADLEY: It is east, correct. So we're  
13 going to follow, as Member Richins did confirm, we're  
14 going to head due east. And as we start moving that  
15 direction, I was going to reorient with the cardinal  
16 direction. So apologies that we hadn't started moving  
17 that way yet.

18 I think we can hit play. So now we're  
19 going to start orienting to the east for the longer  
20 straight stretch of our transmission line. We can see  
21 here this will be the first typical monopole structure,  
22 which drawing was included in our CEC application. That  
23 will be the majority of the structures, the structure  
24 type. And as we're moving along here on the horizon, on  
25 the right-hand side, and both on the left-hand side, the

1 existing transmission line structures will become a  
2 little more evident. These are lattice structures, so  
3 they are a little larger and a little wider and will also  
4 be taller since those voltages are fairly tall.

5 And feel free if any of the members or  
6 chairman have questions, that they can stop me. And,  
7 actually, let's stop here real quick. So just to  
8 reorient, we're still continuing east, if we're looking  
9 at the placemat in front of us, we're somewhere roughly  
10 between the .5-mile and 1-mile marker, still facing east.  
11 I do want to point out this blue-green placemark, and  
12 then I should have pointed them out earlier, my  
13 apologies, we also showed a couple other that are much  
14 further from the project. This is the location of one of  
15 our visual simulations that we prepared for the open  
16 house that we held for the project in April of this year,  
17 so when we get to that place on the project we're going  
18 to also share that visual simulation that we shared with  
19 the public.

20 And then that placemark is actually all  
21 along Obed Road, which is a paved two-track road that  
22 intersects our project, as you can see on the placemat as  
23 well. And as we're continuing along, you can see along  
24 Obed Road on the other side, there are no other  
25 developments, no residences, businesses, et cetera.

1 MEMBER GOLD: Mr. Chairman?

2 CHMN STAFFORD: Yes, Member Gold.

3 MR. HADLEY: Maybe we will pause the video  
4 as well, I'm sorry.

5 MEMBER GOLD: Thank you. A question for  
6 you, as I'm following this, I'm looking at your power  
7 line, what is the width of your right-of-way?

8 MR. HADLEY: So, Chairman Stafford,  
9 Col. Gold, so this -- the -- we do not show the  
10 right-of-way itself. This, we have required a 150-foot  
11 right-of-way from the landowner. So that would fully  
12 encompass this. And the 150-foot would allow for some  
13 buffer on both sides of the transmission line. So while  
14 we do not have it illustrated, it should be somewhere in  
15 this kind of region relative to the poles and the line.

16 MEMBER GOLD: It's just 150 feet, 75 feet  
17 on either side.

18 MR. HADLEY: Yes, sir. That's what we've  
19 acquired from the landowner.

20 MEMBER GOLD: Thank you.

21 MR. HADLEY: And will maintain through the  
22 life of the project.

23 CHMN STAFFORD: And the access road is also  
24 on that right-of-way, correct?

25 MR. HADLEY: Yes, that is correct.

1           Okay. I can keep going on. So now we're  
2 approaching Obed Road here. And then we're going to spin  
3 around real quick at this placemark, and this is going to  
4 orient us, it's going to give us a little spin and then  
5 we will be pointing towards the south, and then we're  
6 going to pause in just a second, as we show a still  
7 image. And then let's pause right here.

8           So as we can see here, the angle did turn a  
9 little bit, but we are still mostly facing south, at the  
10 bottom of our screen we have Obed Road. So right now  
11 we're looking mostly south, just a hair to the southeast.  
12 This pole structure here, this is the same structure  
13 location that was in our visual simulation. It's  
14 currently in our flyover and application, but I did want  
15 to note that this structure type, the same structure that  
16 is at the beginning of CEC-1 is no longer being  
17 considered for this location. We're now utilizing or  
18 potentially going to utilize a different type of steel  
19 monopole structure.

20           CHMN STAFFORD: Do you have a question?

21 Oh, sorry. Member Gold, did you have a question?

22           MEMBER GOLD: No, no, no, I was just  
23 orienting on her map.

24           MR. CROCKETT: And, Chairman Stafford, if I  
25 could just interject right here.

1 Q. So the pole that we're seeing here can you  
2 connect that to one of the exhibits, is that --

3 A. (MR. HADLEY) Unfortunately, we do not have an  
4 exhibit for this type of structure, for what would be the  
5 current structure. When we go back to the virtual  
6 flyover, we will have a better image of what that  
7 structure looks like.

8 CHMN STAFFORD: All right. So real quick,  
9 so that structure that's front and center, that is part  
10 of the proposed line that we're here today about. And  
11 that particular type of structure is not one that will be  
12 used on this particular line, correct?

13 MR. HADLEY: So, Chairman Stafford, this  
14 structure type will be used, just not at this exact  
15 location. Just to clarify, the pole height is still  
16 proposed to be the same. The only difference, and it  
17 will be a little better as we go back to the virtual  
18 flyover, it's moving the wires higher off of Obed Road.  
19 So rather than the wires being in this vertical  
20 orientation, these three wires would then be horizontal.  
21 And that's, again, to allow more clearance over Obed Road  
22 without having to increase the overall height of the pole  
23 structure.

24 CHMN STAFFORD: Right. So what will be the  
25 clearance over Obed Road?



1 MR. HADLEY: I do not have that in front of  
2 me, what it will be, but I know we do have the 27-foot  
3 minimum clearance regardless.

4 CHMN STAFFORD: Okay.

5 MR. HADLEY: What we can do is on a break  
6 confirm that with our engineering team, they will  
7 probably have that specific answer for us.

8 BY MR. CROCKETT:

9 Q. Mr. Hadley, can you say that it would be higher  
10 than a minimum -- that it would be greater than a minimum  
11 of 27, or is that what we need to confirm?

12 A. (MR. HADLEY) That's what I prefer to confirm, to  
13 not misspeak.

14 Q. Okay. And then while we have this image here,  
15 would you just show us off in the distance what we're  
16 seeing? Could you explain that again?

17 A. (MR. HADLEY) Certainly. So kind of looking at,  
18 we can see these structures here. These, again, monopole  
19 structures, meaning it's just the one structure going up  
20 and down, that is an existing transmission line. I'm not  
21 recalling which one that is in reference to our placemat,  
22 but for a better orientation in the background, which  
23 should be behind this line, we can see two of them over  
24 here, one of them on this horizon, and here are a few  
25 more, the larger lattice structures. And those are the

1 currently existing transmission lines, the 345- and  
2 500-kV that we did call out in our earlier testimony, and  
3 that are more visible on your placemat.

4 And as we keep moving down the line, they'll  
5 become more clear and help us orient where they are on  
6 our placemat as well.

7 I think we can keep moving forward, hit play, it  
8 will take a second, and then it will keep going. Could  
9 we hit play? I'm not sure if we did. Okay, sorry.

10 All right. And then we're going to hit pause  
11 again in just a second. If we could pause right there.  
12 So then, as I noted, the two structures immediately  
13 adjacent from -- the two structures immediately east of  
14 Obed Road, those are a structure design that we do not  
15 currently have a drawing for, but as I note, and you can  
16 see a little more visible, the three wires are  
17 horizontally oriented, as opposed to the vertical  
18 orientation.

19 Also, I do want to confirm these are the only  
20 two locations of this differing structure type that we do  
21 not have a drawing for at this time. And while we're  
22 also looking at the horizon here -- sorry about the  
23 laser -- there is a smaller voltage distribution line  
24 here, similar to permissions from other utilities and  
25 other entities. We will coordinate with those folks to

1 cross at that appropriate time and acquire any  
2 permissions.

3 CHMN STAFFORD: All right. Now, is it  
4 correct to assume that you will -- that your transmission  
5 line will pass over the distribution line, but then under  
6 a 500-kV line?

7 MR. HADLEY: Chairman Stafford, that is  
8 correct. That's typically our assumption. The larger  
9 voltage would go over the smaller ones. So in this case,  
10 since that is a smaller voltage distribution, we assume  
11 going over that. And as we continue down the project and  
12 we cross the larger voltage lines, the lines that are  
13 much higher voltage than ours, we do go under and we'll  
14 show those, we also have a different structure type for  
15 those crossings.

16 CHMN STAFFORD: All right. Thank you.

17 MEMBER DRAGO: Mr. Chairman?

18 CHMN STAFFORD: Yes, Member Drago.

19 MEMBER DRAGO: Are you at about the  
20 1.5 mile mark on the placemat?

21 MR. HADLEY: Thank you, Chairman Stafford,  
22 Member Drago, so we would be just between Obed Road and  
23 the 1.5 mile marker, that's correct.

24 MEMBER DRAGO: Thank you.

25 MR. HADLEY: I would say, just an

1 additional confirmation, this pole structure here would  
2 be more in line with the exact 1.5 mile marker where  
3 we'll be turning back.

4 And then before we hit play, I did want to  
5 note that right now we're kind of looking at a little odd  
6 orientation, we're facing more of the southeast  
7 direction. And then we're going to continue to turn back  
8 towards the east. And we can go on ahead and hit play  
9 for just another minute as well.

10 So now we're in that portion between Obed  
11 and the 1.5 mile marker, so we're kind of heading towards  
12 the east right now. I know our camera's not facing it,  
13 but the line itself is continuing towards the east. And  
14 pause right here as well. So this would be right at  
15 1.5 mile marker, and then the line is going to orient to  
16 the northeast now. And then I also did want to confirm,  
17 as you can see, no other developments across the  
18 landscape, other than several existing transmission  
19 lines. We can see two right here. These would be 345-kV  
20 transmission lines, and we're going to start to parallel  
21 those, which will become more evident as well.

22 MEMBER GOLD: Yeah, the green.

23 MR. HADLEY: The green in the placemark.

24 MEMBER GOLD: Yes, sir, the green. The  
25 green, 345 -- oh, the blue --

1 MEMBER KRYDER: The blue.

2 THE REPORTER: Chairman? Maybe if we  
3 could --

4 MR. HADLEY: Possibly pause the video.

5 CHMN STAFFORD: Member Mercer?

6 MEMBER MERCER: Yes, I was just looking at  
7 the --

8 CHMN STAFFORD: Can you please speak into  
9 the microphone.

10 MEMBER MERCER: Sorry. The 345 is on the  
11 blue line, right?

12 MR. HADLEY: Correct.

13 MEMBER MERCER: Thank you.

14 THE REPORTER: Chairman Stafford?

15 CHMN STAFFORD: Yes.

16 THE REPORTER: Could we keep our  
17 microphones not live, unless you're speaking?

18 CHMN STAFFORD: Yeah, I don't know if  
19 there's a way to -- I think we can, if you hold them down  
20 it turns them off, but they won't stay off, but if --

21 THE REPORTER: Or just put them away from  
22 you unless you're speaking. Thank you.

23 CHMN STAFFORD: Thank you.

24 MR. HADLEY: So this is a good place to  
25 leave it for a second just to continue to confirm. So

1 now our line is pointing towards the northeast. Again,  
2 this is the Cholla Power Plant, and the substation for  
3 Cholla would be right in front of it. Also did want to  
4 confirm on the horizon here we will now be paralleling  
5 the two 345-kV transmission lines.

6 BY MR. CROCKETT:

7 Q. And then can we see the 500-kVs in the  
8 background there?

9 A. (MR. HADLEY) So it does get a bit blurry, that's  
10 a great point, it would be these other structures kind of  
11 on this horizon. And we'll stop before we get there to  
12 help reorient, the lines and the structures start to mix  
13 up. I think we can hit play, unless anybody else has  
14 comments at this time.

15 So now we're continuing to the northeast. Did  
16 want to confirm all of the structures, other than the  
17 ones at Obed Road, and immediately adjacent to our  
18 substation are all the same monopole structure type  
19 included in the application. And we can see a little bit  
20 of a change in elevation, a little bit of the landscape.  
21 There are some areas of the floodplain that our project  
22 won't be crossing. And now we can continue seeing these  
23 paralleling the transmission lines that we are  
24 paralleling, as well as, and then we'll go on ahead and  
25 stop here, please.

1 Now is a little better orientation, so we can  
2 see on the horizon on the left-hand side, coming back to  
3 the right, this will actually be the 500-kV lines  
4 crossing at approximately the 2.5-mile marker that are  
5 shown in that green that are oriented roughly northwest  
6 to southeast. Again, we are still pointing due  
7 northeast.

8 And if we could go a little further and then  
9 I'll pause us again. Get a little better visual of some  
10 other things. And let's pause here, if we may.

11 So here we did want to confirm the differing  
12 structure type as well that has since been included or  
13 was provided today as Exhibit OM-25. There are two  
14 structure types that do differ from the majority of the  
15 monopole structures. This design is intended to allow  
16 the conductors to be well below the overhead 500-kV  
17 transmission lines.

18 Also did want to note we can see there is one,  
19 two structures with this differing three-pole  
20 monostructure, if you will, and then just beyond it there  
21 is one more pole location. We will get further to, you  
22 know, be able to see that location, but we did want to  
23 note that that is the terminus of CEC-1.

24 As we look at the transmission line here, I  
25 think our engineering firm, they essentially had it be a

1 dead-end structure or, like, they said here's an example  
2 of the line stopping. The line will not stop at that  
3 point, so that's not an accurate representation, but that  
4 will be the stop of the CEC-1 portion of the project, and  
5 then everything past that portion, which we'll be able to  
6 have a little bit more overview in just a minute will be  
7 part of CEC-2.

8 Now, we do not have a virtual flyover for CEC-2,  
9 because it was just too difficult to make assumptions of  
10 where it may go. We also didn't want to make assumptions  
11 on structure types since we would need to coordinate with  
12 APS. So we'll have a good visual of the area of CEC-2,  
13 but there will not be a proposed line. Similar, as there  
14 is not a proposed center line within the CEC-2  
15 application.

16 CHMN STAFFORD: Now, do you know what types  
17 of structures that APS is going to want to use inside for  
18 its portion of the line? I mean, is it a typical  
19 monopole, is there something else that you're going to  
20 want to have to tie it into the system?

21 MR. HADLEY: Certainly, Chairman Stafford.  
22 So our assumption, it would likely be the same type of  
23 structure since even if they do eventually own the line,  
24 given APS is a very busy utility, they would probably  
25 look to us to continue to design, procure, and construct



1 it, so it would more than likely be the same type of  
2 transmission line structures.

3 CHMN STAFFORD: All right.

4 MEMBER LITTLE: Mr. Chairman?

5 CHMN STAFFORD: Member Little.

6 MEMBER LITTLE: Just curious, does the --  
7 do the 345-kV lines go under the 500? Are the 500-kV  
8 towers taller?

9 MR. HADLEY: Chairman Stafford, Member  
10 Little, I'm going to turn it over to my colleague.

11 MR. HOFFBUHR: Yeah, so what you see here  
12 are -- the 500's come from here and they come straight  
13 south and what you can actually see here, it's a little  
14 deceiving in this, but the 345, we are paralleling here,  
15 so we don't -- the 345s do cross under the 500-kV, if we  
16 backed up maybe 10 or 20 seconds we could probably see  
17 where those cross under the 500.

18 MEMBER LITTLE: Oh, I see, okay. Right.

19 MR. HADLEY: It may be fuzzy, but they --  
20 it would use the same logic, the same voltage would go  
21 under the --

22 MEMBER LITTLE: I'm just curious. Thank  
23 you.

24 MR. HADLEY: Yes, ma'am.

25 BY MR. CROCKETT:

1 Q. So, Mr. Hadley, does that conclude the virtual  
2 tour of CEC-1?

3 A. (MR. HADLEY) It does. And maybe we can hit play  
4 and then we'll stop at that last structure within CEC-1,  
5 that way it can give a better visual of CEC-2 as well.  
6 But that way it does show the full extent.

7 So now we'll cross under the 500-kV lines. And  
8 then we can pause here.

9 MEMBER RICHINS: Chairman, how far off the  
10 line are those --

11 CHMN STAFFORD: Yes, Member Richins.

12 MEMBER RICHINS: -- the lines that cross  
13 under --

14 CHMN STAFFORD: Can you please speak into  
15 the microphone, Member, just so the court reporter can  
16 get it.

17 MEMBER RICHINS: Yes, I moved it and -- how  
18 far off the ground are the lines as they cross under the  
19 345- or the 500-kV, those two short poles?

20 MR. HADLEY: Could you clarify? Are you --  
21 the distance from?

22 MEMBER RICHINS: The ground to the line.

23 MR. HADLEY: The ground to there?

24 MEMBER RICHINS: Yeah.

25 MR. HADLEY: So the conductors, I don't

1 have clarification. We can get that, based on the  
2 current design, but it would still maintain that 27 feet.

3 MEMBER RICHINS: Okay. Okay.

4 BY MR. CROCKETT:

5 Q. Yeah. And just to -- just to make sure we're  
6 all clear on that, Mr. Hadley, is there any place on the  
7 entire gen-tie route, CEC-1 or 2, where you will not be  
8 at least a minimum of 27 feet?

9 A. (MR. HADLEY) No.

10 Q. Okay.

11 A. (MR. HADLEY) And then, just to wrap up, this  
12 would be the last proposed pole structure for CEC-1. So  
13 this would be just northeast or just to the right of the  
14 2.5 marker on our placemat. And then everything to the  
15 northeast of this pole structure would be most of the  
16 area included in the variable width corridor of CEC-2.

17 Q. So, Mr. Hadley, that's the substation, the  
18 Cholla Substation that we see that's between our line and  
19 the Cholla Power Plant; is that correct?

20 A. (MR. HADLEY) That is correct. This smaller  
21 infrastructure here would be the electrical substation  
22 for Cholla. The larger infrastructure behind it would be  
23 the Cholla Power Plant. And then off to the right you  
24 can also see where the 345-kV lines come off of the  
25 Cholla Substation and would then start to parallel our

1 line.

2 Q. Okay. Anything else to cover on the two CECs  
3 and the gen-tie routes?

4 A. (MR. HADLEY) I believe that's all we have for  
5 the virtual tour, unless any of the members have  
6 questions.

7 MEMBER DRAGO: Yeah.

8 CHMN STAFFORD: Member Drago.

9 MEMBER DRAGO: Just for the record, I  
10 think, and for my own understanding, since there's two  
11 CECs, the environmental studies testimony we're about to  
12 hear, was that work done only for CEC-1?

13 MR. HADLEY: Chairman Stafford, Member  
14 Drago, I can take that a little bit. So our intent was  
15 to have for the area that we had access to, so  
16 essentially for all of CEC-1, other than the area, if  
17 we're looking at our placemat, that has the little more  
18 variable width that includes the 500-kV lines, we did our  
19 full environmental studies up to par, all of our field  
20 work, et cetera, because we had access.

21 As my colleagues from TetraTech will note,  
22 for CEC-2, we did evaluate all of that area, but it's on  
23 a desktop basis, since we did not have access to the  
24 property. But, as I think we'll also touch on, at a  
25 later date once we're coordinating with APS, we will then

1 conduct field surveys up to the same standard that we  
2 would do once we have access.

3 MEMBER DRAGO: Okay. Very good. Thank  
4 you.

5 MR. CROCKETT: Okay. Well, we are about to  
6 move forward from the sort of some of the technical  
7 issues and talk about notice requirements and public  
8 outreach, so we're going to stay with Mr. Hadley for the  
9 next series of questions.

10 Q. Mr. Hadley, has Aurora Solar provided public  
11 notice of this application?

12 A. (MR. HADLEY) Yes. Notice of the application was  
13 provided via newspaper, sign postings, and public posting  
14 of the application. And, if I may, I did glance over it  
15 in the virtual tour, but our signs were posted and I do  
16 believe we'll show them or we'll discuss it further, our  
17 sign requirements were posted along Obed Road.

18 Q. Okay. So we're looking now at slide 42, does  
19 that show copies of the affidavit of publication from the  
20 Holbrook Tribune?

21 A. (MR. HADLEY) Yes.

22 Q. And was notice of this application published in  
23 the newspaper both on June 28th and July 5th?

24 A. (MR. HADLEY) Yes.

25 Q. And what we see on slide 42, are those images of

1 the actual newspaper notices that appeared in the paper?

2 A. (MR. HADLEY) They are.

3 Q. Does Exhibit OM-8 contain a true and correct  
4 copy of the affidavit and the notices?

5 A. (MR. HADLEY) Yes.

6 Q. Is the Holbrook Tribune a newspaper of general  
7 circulation in the area where the Obed Meadow project  
8 will be constructed?

9 A. (MR. HADLEY) Yes, it is.

10 Q. Did Aurora Solar attend a prefiling conference  
11 with Chairman Stafford on June 15, 2023?

12 A. (MR. HADLEY) Yes.

13 Q. Was the purpose of that prefiling conference to  
14 talk about the placement of notices, the filing of the  
15 application, the provisions for the hearing, and other  
16 topics?

17 A. (MR. HADLEY) Yes.

18 Q. At that prehearing conference, did Aurora Solar  
19 present a map of proposed sign locations for notices of  
20 the hearing?

21 A. (MR. HADLEY) Yes, we did.

22 Q. Now we're looking at PowerPoint slide 44, can  
23 you use your pointer and show us where the signs were  
24 posted on -- along Obed Road?

25 A. (MR. HADLEY) Certainly. So in this area here.

1 I lost my bubble. I'll draw the circle around the two  
2 sign locations. It's here directly where Obed Road  
3 intersects our project.

4 Q. Okay. And I take it one sign is facing one  
5 direction and one the other so that people traversing  
6 Obed Road would see this notice?

7 A. (MR. HADLEY) Correct.

8 Q. Okay. Are other areas of the gen-tie route  
9 located on property that would be accessible to the  
10 public?

11 A. (MR. HADLEY) They are not.

12 Q. And the photos we see here to the left of the  
13 screen, are those photographs of the actual signs that  
14 were posted?

15 A. (MR. HADLEY) Correct.

16 Q. And were those signs posted at the locations  
17 that were discussed at the prefiling conference?

18 A. (MR. HADLEY) Yes.

19 Q. Okay. Let's see, is Exhibit OM-12 a copy of the  
20 map and photos of the sign locations?

21 A. (MR. HADLEY) Yes. And to confirm, we did  
22 receive permission from the landowner to install the  
23 signs and we did install them on, I believe, July 18th of  
24 this year.

25 Q. And if I'm not -- if I'm not mistaken, I believe

1 that Mr. Pohs actually went out and installed the signs  
2 himself?

3 A. (MR. POHS) Correct, yes.

4 Q. And I understand that was a very easy job,  
5 right?

6 A. (MR. POHS) Yeah, it was pretty straightforward.

7 Q. Okay. Did Aurora Solar make a copy of the  
8 application available to the public?

9 A. (MR. HADLEY) Yes, a copy of the application has  
10 been made available at the Holbrook and Winslow public  
11 libraries. In addition, the application has been made  
12 available on the Obed Meadow gen-tie line project website  
13 and at the Arizona Corporation Commission's docket  
14 control.

15 Q. Okay. Does slide 46 show copies of transmittal  
16 letters that I sent along with the, I guess, copies  
17 of -- I guess the application was provided by -- no,  
18 these are -- I'm sorry, these are copies of the  
19 transmittal of the application to the two libraries; is  
20 that correct?

21 A. (MR. HADLEY) Correct.

22 Q. Okay. And then the two e-mails that we see in  
23 the middle are those confirmations that each library  
24 received that application?

25 A. (MR. HADLEY) Correct.



1 Q. Okay. And this -- these exhibits appear on  
2 Exhibit OM-9?

3 A. (MR. HADLEY) Correct.

4 Q. Okay. And, similarly, have copies of the  
5 transcript from the prefiling conference also been made  
6 available at the Holbrook and Winslow public libraries?

7 A. (MR. HADLEY) Yes.

8 Q. And are we seeing on slide 48, a transmittal  
9 letter from Glennie reporters transmitting one of the  
10 affidavits -- or one of the transcripts and a cover  
11 letter from yours truly transmitting the other?

12 A. (MR. HADLEY) That's correct.

13 Q. Does Exhibit OM-9 also include an affidavit from  
14 Glennie Reporting Services affirming that a copy of the  
15 prefiling transcript was provided to the Holbrook Public  
16 Library?

17 A. (MR. HADLEY) That's correct.

18 Q. And it also includes a copy of my cover letter  
19 including transmitting a copy of the prefiling  
20 transcript?

21 A. (MR. HADLEY) Yes.

22 Q. Did Aurora Solar identify any affected  
23 jurisdictions in this case?

24 A. (MR. HADLEY) Yes, Navajo County was identified  
25 as the only affected jurisdiction in this case.

1 Q. Was notice of the application timely provided to  
2 Navajo County, as required by the procedural order in  
3 this case, dated June 28, 2023?

4 A. (MR. HADLEY) Yes. Copies of the notice of  
5 hearing, procedural order and agenda were mailed via  
6 certified mail to the jurisdiction on July 7th, 2023.

7 Q. Is Exhibit OM-11, a copy of the notice of  
8 mailing to affected jurisdictions that was filed in the  
9 docket in this case on July 7th, 2023?

10 A. (MR. HADLEY) Yes.

11 Q. Has Aurora Solar received any opposition to its  
12 application from Navajo County?

13 A. (MR. HADLEY) No.

14 Q. And let me just back up a question. Did a copy  
15 of the notice go to each of the five members of the Board  
16 of Supervisors?

17 A. (MR. HADLEY) Yes.

18 Q. And did the clerk of the Board also receive a  
19 copy of the notice?

20 A. (MR. HADLEY) Yes.

21 Q. And we -- we have the -- on the slide here that  
22 we're looking at, slide 50, we see copies of the green  
23 return receipt cards from the five members of the Board  
24 and the clerk?

25 A. (MR. HADLEY) Correct.

1 Q. And did I ask you -- maybe I asked you this, but  
2 did Aurora Solar receive any opposition from Navajo  
3 County to this application?

4 A. (MR. HADLEY) We have not.

5 Q. The proposed gen-tie will interconnect with APS  
6 Cholla Substation. Did APS also receive notice of the  
7 application?

8 A. (MR. HADLEY) Yes, they did. Our legal counsel  
9 provided an electronic link to the application, and  
10 discussed the project on the phone with the in-house  
11 attorney for APS, who is responsible for transmission  
12 line siting cases. The attorney told our counsel that  
13 APS would not be participating in the hearing on Aurora  
14 Solar's application.

15 Q. And, Mr. Hadley, has any person sought to  
16 intervene in this case, to your knowledge?

17 A. (MR. HADLEY) No.

18 Q. Okay. Mr. Hadley, do you believe that Aurora  
19 Solar has fully complied with the notice requirements --  
20 the legal notice requirements regarding this application?

21 A. (MR. HADLEY) I do.

22 Q. Okay. Now we're going to move on and talk about  
23 public outreach and stakeholder outreach, and we're going  
24 to talk with Mr. Miner about that.

25 So, Mr. Miner, will you please provide an

1 overview of the public outreach activities that were  
2 completed for this project?

3 A. (MR. MINER) Certainly. Aurora Solar, with the  
4 assistance of TetraTech, undertook a public involvement  
5 program to provide the public and stakeholders with  
6 opportunities to ask questions and provide input on the  
7 project through various methods. These included  
8 providing informational mailings. We conducted a virtual  
9 community meeting, as well as an in-person community  
10 meeting. We provided newspaper advertisements,  
11 advertising both of those meetings. We also provided  
12 social media advertisements. We developed a project  
13 website, telephone hotline, and e-mail address.

14 We also prepared project business cards that we  
15 handed out during the in-person community meeting. And  
16 we provided responses to comments received from the  
17 public and stakeholders.

18 Q. Let's talk in a little more detail about each of  
19 these activities, would you please describe and discuss  
20 the informational mailings that were sent out?

21 A. (MR. MINER) Yes. There were two informational  
22 mailings that were sent out to approximately 850  
23 recipients within a two-mile radius of the project. Our  
24 two-mile study boundary was expanded slightly to include  
25 all residents of Joseph City. The first informational

1 mailing, which is shown on the left-hand side of that  
2 screen, provided -- introduced the project and announced  
3 opportunities for comment and invited participation in  
4 the virtual open house that was held on April 12th, 2022.  
5 This mailing occurred on March 23rd, 2022. The second  
6 informational mailing which is shown on the right-hand  
7 side of the slide introduced the project and announced  
8 opportunities for comment and invited participation,  
9 in-person community meeting that was held at the Joseph  
10 City Elementary School, on April 24th, 2023. This  
11 mailing occurred on April 7th, 2023.

12 Q. And, Mr. Hadley [sic], does the application  
13 include in Exhibit J, appendix J-1 and J-2, copies of  
14 these informational letters?

15 A. (MR. MINER) I'm Mr. Miner and I'll answer that.

16 Q. Oh, Mr. Miner, sorry.

17 A. (MR. MINER) That's okay, Jeff.

18 Yes, it does.

19 Q. Thank you.

20 A. (MR. MINER) You bet.

21 Q. Did you provide -- or did the applicant provide  
22 additional informational mailings for the project?

23 A. (MR. MINER) Yes, we did. There were two  
24 additional informational mailings conducted for the  
25 project, which was requesting review, feedback, and

1 comments. The first additional mailing was a key  
2 stakeholder informational flier, which was mailed to 36  
3 recipients that included stakeholders for Joseph City,  
4 Navajo County, and Arizona state government officials,  
5 jurisdictions, and agencies. A copy of the key  
6 stakeholder mailing list is provided as Exhibit J,  
7 Appendix J-9 of the application. This mailing occurred  
8 on May 30th, 2023.

9 The second additional informational mailing  
10 invited representatives from eight tribes that were  
11 identified that might have an interest in the project  
12 area and we requested them -- we requested from them to  
13 review the project materials and provide comment. A copy  
14 of the tribal outreach mailing list, which included 17  
15 recipients, is provided as Appendix J -- as Exhibit J,  
16 Appendix J-11. This mailing occurred on June 19th, 2023.

17 One tribe has responded to date, the White  
18 Mountain Apache Tribe, which responded that the project  
19 will have no adverse effect to the tribe's traditional  
20 cultural properties and/or historic properties.

21 Q. And, Mr. Miner, these notices are the exhibits  
22 or the images that we're seeing on slide 56?

23 A. (MR. MINER) Yes, they are.

24 Q. Exhibit OM-19, is that a copy of the response  
25 letter that was received from the White Mountain Tribe?

1 A. (MR. MINER) Yes, it is.

2 Q. Okay. Did Aurora Solar also hold a virtual  
3 meeting?

4 A. (MR. MINER) Yes, we did. The applicant planned,  
5 scheduled, advertised, and executed a virtual community  
6 meeting, which was held on April 12th, 2022, from 6:00 to  
7 6:45 p.m. This meeting was conducted using Broadnet,  
8 which is a meeting facilitation platform that allows  
9 access via phone or Internet. Our virtual meeting  
10 consisted of a formal presentation that was recorded.  
11 The present -- a few examples of the presentation slides  
12 are shown here on slide 56 -- or 58, sorry.

13 Our presentation covered topics such as a  
14 background on the applicant, an overview of solar  
15 facilities and the gen-tie project. We provided example  
16 photographs of similar projects. We provided information  
17 on the permitting requirements, and provided contact  
18 information for our project website, e-mail address, and  
19 telephone hotline.

20 Notices for the meeting included our  
21 informational mailings. We also published newspaper  
22 advertisements and published notifications on social  
23 media and, in total, we had eight members of the public  
24 join our virtual meeting.

25 Q. Does the virtual meeting remain active on the

1 project website today?

2 A. (MR. MINER) Yes, it does. We have links on our  
3 web page, highlighted under "public participation," which  
4 provides links to the recorded presentation, as well as  
5 links to the slides themselves.

6 Q. Mr. Miner, you also testified that the applicant  
7 provided an in-person community meeting, would you please  
8 discuss that?

9 A. (MR. MINER) Yeah, certainly. On April 24th,  
10 2023, at the Joseph City Elementary School, we hosted an  
11 in-person, informal, open-house-style community meeting.  
12 You can see images of attendees that participated in our  
13 in-person meeting, and you can also see examples of our  
14 story boards, large format story boards shown on slide  
15 60.

16 As mentioned, it was an informal  
17 open-house-style arrangement allowing members of the  
18 public and stakeholders to join or enter at any time,  
19 spend as much time as they like, and interact with the  
20 project team. In total, we had 18 attendees sign the  
21 sign-in sheet; however, we do believe there were a few  
22 additional folks that either came as couples and only one  
23 signed in or maybe they bypassed our sign-in sheet.

24 Materials provided at this in-person meeting  
25 included the story boards that we mentioned. We had



1 copies of project maps, similar to what we have here on  
2 the placemat. We had contact business cards. We had a  
3 comment card and a box in which if they wanted to leave a  
4 written comment, we provided that, so they could provide  
5 that anonymously if they would like. In total, we  
6 received two written comments from the participants.

7 Q. Mr. Miner, you also testified that Aurora Solar  
8 placed newspaper advertisements regarding this project,  
9 would you please speak to those?

10 A. (MR. MINER) Yes. We published two newspaper  
11 advertisements for the in -- for the virtual public  
12 meeting. They're shown -- an example of that is shown on  
13 this slide. They were posted in the Tribune of Holbrook,  
14 Snowflake, Taylor, and Winslow. They were advertised on  
15 March 30th and April 6th, in advance of the virtual  
16 community meeting. We also published newspaper  
17 advertisements for the in-person public meeting that was  
18 held on April 24th. That advertisement was published on  
19 April 12th, 2023.

20 And, as you can see on the slide, the  
21 advertisements provided a general description of the  
22 project and information on how and where to attend those  
23 meetings.

24 Q. Mr. Miner, did the applicant also use social  
25 media to advertise this project?

1 A. (MR. MINER) Yes. Yes, we did. We developed a  
2 Facebook page. On our Facebook page, it will direct  
3 those users that access our web page -- our Facebook page  
4 to the project website. We also did three versions of  
5 Facebook advertisement, the first being for the virtual  
6 community meeting. That was published March --  
7 March 30th, 2022, and ended on April 12th, the day of the  
8 virtual meeting. That advertisement was viewed by over  
9 3,000 unique individuals that was engaged with, meaning  
10 that they either liked or clicked on or shared the link,  
11 270 times during that period. The social media  
12 advertisement in support of the in-person community  
13 meeting, which is shown here on the right-hand side of  
14 the slide, that meeting was held April 24th. We  
15 published that advertisement on April 10th, and it ended  
16 on the day of the meeting. That was viewed by over 4,000  
17 unique individuals, viewed on screen over 79,000 times,  
18 and was able to bring 349 users to our website.

19 And, lastly, our social media advertisement for  
20 the hearing today, that's shown on the left-hand side of  
21 the screen there. We published that advertisement on  
22 July 17th. It will continue to run through the duration  
23 of the hearing. To date -- I'm sorry, as of July 28th,  
24 we polled the statistics, and it had already been viewed  
25 by over 3,700 unique individuals. It had been viewed on

1 the screen over 54,000 times, and had brought 289  
2 individuals to our project website.

3 Q. Let's talk now about the project website.

4 Would you please describe it and what's on it?

5 A. (MR. MINER) Certainly. We established the  
6 project website on March 16th, 2022, and we have -- this  
7 website has remained live and has been continuously  
8 updated during this time of the project. The project  
9 provides the public and relevant stakeholders and other  
10 interested parties with project information and  
11 opportunities for public comment. The website address  
12 was included in all of our public materials prior to the  
13 CEC hearing. The project website was updated with event  
14 details, including how to virtually attend and  
15 participate in the hearing, and how to provide the  
16 comment.

17 Our Google analytics have identified over 1,100  
18 unique users have accessed our website. They've  
19 accounted for a total event count of 5,900 views of our  
20 website. Our traffic statistics show that 809 users have  
21 come by way of our social media advertisements. 473  
22 users have accessed our website by directly typing our  
23 address into a browser. And 187 users have arrived at  
24 the website through a Google search.

25 Q. Mr. Miner, is -- are there links on the website

1 currently for the public to attend this meeting virtually  
2 today and the public comment session tonight?

3 A. (MR. MINER) That is correct, yes. And they are  
4 shown on the screen here.

5 Q. And do you know whether or not those links were  
6 also provided to the Arizona Corporation Commission to be  
7 included on the Arizona Corporation Commission's website?

8 A. (MR. MINER) Yes, they were.

9 Q. And, Mr. Miner, is Exhibit OM-10 a copy of  
10 screenshots from the project website?

11 A. (MR. MINER) Yes, they are. Or yes, that is.

12 Q. Okay. Couple more things to talk about. Did  
13 Aurora Solar -- or at least let me back up, you testified  
14 that Aurora Solar set up a telephone line, would you  
15 please describe the results of that telephone line?

16 A. (MR. MINER) Yes, I'll simply state that we  
17 established a telephone line on March 9th, 2022. Our  
18 project telephone hotline provides a recorded  
19 introduction to the project that includes information on  
20 how to contact our project, including the project website  
21 and e-mail address. It's been updated throughout the  
22 lifecycle of the project, leaving a pre-recorded message  
23 that first addressed the virtual -- how to attend the  
24 virtual meeting, then the in-person community meeting,  
25 and now it's been updated for the hearing itself. To

1 date, we've received six comments on our telephone  
2 hotline.

3 Q. And please talk about the project e-mail?

4 A. (MR. MINER) Yes. The project e-mail address was  
5 established on March 16th, 2022, and has been monitored  
6 throughout the project lifecycle. The e-mail address has  
7 been provided in the informational letters, newspaper  
8 advertisements, social media advertisements, and is on  
9 our project website as well.

10 We distributed cards at the in-person open house  
11 meetings that also included information on how to access  
12 us via e-mail. To date, we have received seven comments  
13 through our project e-mail.

14 Q. And, Mr. Miner, the slide 68, does that show the  
15 project business card?

16 A. (MR. MINER) That is correct.

17 Q. Okay. Would you please briefly summarize the  
18 public comments that have been received to date regarding  
19 this project?

20 A. (MR. MINER) Certainly. To date, we've received  
21 a total of 19 comments or questions that have been  
22 received on the project since initiating our public  
23 outreach on March -- or in March of 2022. In general,  
24 the majority of the comments either expressed support for  
25 the project or requested additional information from

1 project team members. These included inquiries of the  
2 project's location, if there are potential job or labor  
3 training opportunities. We have received comments from  
4 interested parties that are offering housing or rental  
5 opportunities for workers. We have received questions or  
6 comments regarding how to participate, either for the  
7 virtual meeting or the in-person community meeting.  
8 We've received comments from a few landowners that are  
9 interested in selling their property or having solar  
10 panels installed on their property. We had a comment  
11 from one individual that was interested in the  
12 environmental studies conducted for the project, and I'll  
13 end with saying we've received a comment thread through  
14 our social media that was expressing some concern about  
15 the CEC hearing being held in Flagstaff.

16 A complete list of these comments received and  
17 Aurora Solar's responses to comments and the date and  
18 source either received via e-mail, telephone, through our  
19 website or through social media, is provided in our  
20 project summary of public outreach efforts.

21 Q. And, Mr. Miner, did the applicant respond to the  
22 comments that it got via e-mail?

23 A. (MR. MINER) Yes, we have.

24 Q. And, for example, the thread that you mentioned  
25 regarding a couple of people or a few people that wanted

1 to know why the hearing was being in Flagstaff -- being  
2 held in Flagstaff, as opposed to somewhere closer to the  
3 project, how did you respond to that -- that comment?

4 A. (MR. MINER) Yeah, when we -- when our  
5 advertisement went live on the 17th, I believe, prior to  
6 the hearing. We received a few comments about holding  
7 the hearing in Flagstaff and not at a location closer to  
8 the project in Navajo County. We first responded by  
9 updating and readdressing our messaging, emphasizing how  
10 to virtually attend. When we first placed the ad,  
11 virtual attendance was listed below the location  
12 information, we brought it to the forefront of the  
13 advertisement. We also updated our website accordingly,  
14 modifying the messaging a little, and we provided a  
15 frequently asked questions response on our website that  
16 provided a little more information on the determining  
17 factors that went into identifying the Little America as  
18 our location, which included information on requirements  
19 for the meeting space, requirements for lodging, and the  
20 number of folks that would be -- the size of the  
21 conference rooms themselves that were necessary.

22 Q. And, Mr. Miner, did -- did you receive  
23 additional comments or concerns after that regarding the  
24 location of the hearing here in Flagstaff?

25 A. (MR. MINER) We did not. The comment thread

1 ended after about a day, day and a half of the initial  
2 advertisement, and we were able to rework or reword that  
3 advertisement the day that we originally posted it.

4 Q. Mr. Miner, have you received any comments  
5 opposing the substation and Obed Meadow gen-tie project?

6 A. (MR. MINER) No, we have not. We have received  
7 one negative comment that is in regard, in general, to  
8 solar developments, from a member of the general public,  
9 it was posted on our website. But it was not specific to  
10 the location or our project in any specific manner.

11 Q. Okay. And, Mr. Miner, did the chairman, through  
12 a procedural order, direct that the company prepare an  
13 exhibit of the public outreach and noticing efforts that  
14 the applicant undertook in this case?

15 A. (MR. MINER) Yes, that is correct.

16 Q. Is Exhibit OM-13 a true and correct copy of that  
17 exhibit on public outreach?

18 A. (MR. MINER) That is correct, yes.

19 Q. Was that exhibit previously filed in the docket  
20 in this case?

21 A. (MR. MINER) Yes, it was, on July 31st, 2023.

22 Q. And, Mr. Miner, do you believe that the public  
23 outreach in this case has been comprehensive and robust?

24 A. (MR. MINER) Yes, I do. I believe the statistics  
25 from our website and the amount of traffic and views that



1 our social media advertisements were able to receive, I  
2 think that shows wide distribution and wide noticing of  
3 the project. I'd also like to point out that our mailing  
4 list of 850 recipients went beyond the two-mile radius  
5 and we expanded that to include all of Joseph City.

6 MEMBER GOLD: Mr. Chairman, I have a  
7 question.

8 CHMN STAFFORD: Yes, Member Gold.

9 MEMBER GOLD: Mr. Miner, it looks like you  
10 did an exceptional job notifying the public and  
11 responding to what the public has asked. I'm just  
12 curious about one thing, excuse me, how far is Joseph  
13 City from Flagstaff?

14 MR. MINER: Yes, Chairman Stafford, Member  
15 Gold or Col. Gold, sorry, Joseph City is about 75 miles  
16 from Flagstaff. I can elaborate on that if you'd like.

17 MEMBER GOLD: No, that's sufficient.

18 MR. MINER: Okay. Thank you.

19 MR. CROCKETT: Okay. Chairman Stafford,  
20 we're going to switch now and start talking about the  
21 various environmental studies that support the  
22 application, so if there are any more questions on  
23 notice --

24 MEMBER RICHINS: I just have one.

25 CHMN STAFFORD: Member Richins.

1 MEMBER RICHINS: Does -- does your company  
2 have a grievance mechanism for if during the process of  
3 this in construction somebody, like, a hotline people  
4 call if there's an issue, is that a standard practice for  
5 you guys or is that something that you guys ever do, if  
6 somebody has a complaint they have a hotline they can  
7 call or --

8 MR. HADLEY: Chairman Stafford, Member  
9 Richins, I can take that a bit. So typically during the  
10 construction process, even if we were to utilize a  
11 different company to build the project, we would always  
12 have a company representative there. So we try to make  
13 ourselves very transparent, make it aware that if you  
14 have a question, come to the laydown yard where our  
15 office is. The website, all of these other things will  
16 be maintained so I think there will be numerous avenues,  
17 but during construction we would have somebody on-site  
18 that's available to field any number of questions or --

19 MEMBER RICHINS: And then how do you  
20 document that if somebody comes in with some kind of an  
21 issue or a grievance? How does that get documented in  
22 your process?

23 MR. HADLEY: I would say it probably  
24 varies, depending on the complaints, the merit, but it  
25 would kind of vary depending on that. Typically it would

1 be routed to the specific subject matter expert for  
2 resolution.

3 MEMBER RICHINS: And then how might they  
4 respond to that?

5 MR. HADLEY: Again, I think it depends on  
6 the issue, whether it's just an individual phone call  
7 back to the member of the public or maybe it's some form  
8 of additional coordination to try to resolve individual  
9 issues, but we're very familiar with going through the  
10 construction process and dealing with headaches that do  
11 come, whether it's from our own doing or just generic  
12 things that do occur.

13 MEMBER RICHINS: Okay. Perfect. Thank  
14 you.

15 MR. HOFFBUHR: I could add a little bit  
16 more on that as well.

17 MEMBER RICHINS: Yeah, please.

18 MR. HOFFBUHR: There are a lot of  
19 developers out there that come and develop a project and  
20 are trying to make a quick sale and flip it, and maybe  
21 the community relations aren't quite as important in  
22 those situations. But we are owner-operators, and that's  
23 our goal. So our goal is to be in the community for the  
24 next 30 to 40 years, so we want to make sure that that  
25 relationship with the community is maintained, so any

1 sort of issues like that we are pretty proactive in  
2 addressing any concerns or comments and making sure that  
3 we can keep our neighbors happy.

4 MEMBER RICHINS: So you have a mechanism  
5 even post-construction that you can engage if there's  
6 some kind of issue that's --

7 MR. HOFFBUHR: Yeah, I mean, we have --  
8 part of the solar project is our operations and  
9 maintenance facility, so we do have people on-site. And  
10 our wind projects or solar projects, whatever they may  
11 be, those plant managers have a relationship with the  
12 neighbors and the landowners and are members of the  
13 community, they live -- they live in the community --

14 MEMBER RICHINS: Perfect.

15 MR. HOFFBUHR: -- so they're there as an  
16 avenue.

17 MEMBER RICHINS: I appreciate you sharing  
18 that, because a lot of times we get -- we really focus in  
19 these hearings about public notice and making sure that  
20 everybody is notified about it, and I don't think it's  
21 the purview of this committee, but it's good for the  
22 record to have what happens after, right? You know, and  
23 having an owner-operator is a big deal. There's a big  
24 difference between owner-operators and developers. And  
25 so I appreciate you sharing that information for the

1 record.

2 MR. HOFFBUHR: Absolutely.

3 MEMBER RICHINS: Thank you.

4 BY MR. CROCKETT:

5 Q. All right. So, Mr. Miner, would you please  
6 remind the committee about the environmental studies that  
7 support the application?

8 A. (MR. MINER) Yes. The environmental studies  
9 completed in support of Exhibits A through J of the  
10 application include land use and existing plans, Exhibits  
11 A, B, and H; biological resources, which is addressed in  
12 Exhibits B, C, and D; visual resources, which is  
13 discussed in Exhibits E and G; cultural resources,  
14 Exhibits B and E; recreational uses, Exhibit F; noise and  
15 interference, Exhibit I; and special factors, which  
16 include the public involvement activities that we just  
17 discussed is provided in Exhibit J.

18 For these studies the applicant and TetraTech  
19 has evaluated available secondary data and has utilized  
20 field collected data related to land use, biological  
21 resources, visual, cultural, and recreational resources,  
22 noise levels, and communication signals in order to  
23 assess the potential impacts that may result from the  
24 project.

25 Q. And we've talked about this a little bit today

1 already, but would you please remind the committee, what  
2 is the area that TetraTech studied in performing these  
3 environmental evaluations?

4 A. (MR. MINER) Yes, we identified a two-mile  
5 radius, which is shown on this figure -- thank you,  
6 Trey -- by the black dotted line. It's also shown on  
7 your placemat, and that two-mile study area remained  
8 consistent throughout all of our studies.

9 Q. And would you please describe the land ownership  
10 and land jurisdictions within the study area?

11 A. (MR. MINER) Yes. The project is entirely within  
12 unincorporated Navajo County jurisdiction. And as we've  
13 mentioned previously, we have two landowners, one single  
14 private landowner, and APS-owned lands. As illustrated  
15 in Figure A-2, which is shown on the left-hand side of  
16 that screen, the land ownership within the study area,  
17 the two-mile radius of the project, is primarily  
18 privately owned lands. And there are a few parcels of  
19 lands under the jurisdiction of BLM, they are indicated  
20 in this map figure by the tan color. And there are also  
21 Arizona State Lands, indicated by the parcel shown in  
22 blue that are immediately adjacent to our two-mile  
23 radius.

24 I'd like to mention there, Jeff, that the  
25 project's requested corridors, the project area, is

1 entirely privately owned and on APS-owned parcels.

2 Q. Okay. Would you please prescribe TetraTech's  
3 findings regarding the existing land uses, as detailed in  
4 the application Exhibits A, B, and H, and as mapped in  
5 the application Exhibit A-3?

6 A. (MR. MINER) Yes. TetraTech staff completed a  
7 secondary land use and inventory to identify and map land  
8 uses within the two-mile study area, and then conducted a  
9 reconnaissance field review to verify and update that  
10 land use information. Overall, we can characterize the  
11 study area as being within a rural area, with the primary  
12 existing land uses being agricultural and open range that  
13 is utilized for cattle grazing.

14 There is a notable amount of existing utility  
15 lands and other infrastructure. Other land uses within  
16 the two-mile study area, include low density residential  
17 areas, medium density residential areas and commercial  
18 areas of Joseph City, as well as a few public  
19 institutions within Joseph City. There is vacant land  
20 associated with the Little Colorado River, and there are  
21 the transportation corridors of Interstate 40 and local  
22 roads.

23 Q. Okay.

24 CHMN STAFFORD: Mr. Crockett, I have a  
25 quick question here about Figure A-3. I believe it's the

1 one on the right, slide 76.

2 MR. MINER: That is correct.

3 CHMN STAFFORD: All right. I'm seeing a  
4 little tiny red dot to the south of the line, and the  
5 other four lines, I believe, it's identified as  
6 "residence." Can you tell us more about that property  
7 owner, and what type of residence that is, who --

8 MR. HOFFBUHR: I can take that if you'd  
9 like.

10 MR. MINER: I can start off and if I don't  
11 cover it, that would be fine.

12 MR. HOFFBUHR: Okay.

13 MR. MINER: Yes. This is our nearest  
14 residence, as we get further into these discussions.  
15 This residence is identified at a distance of 0.64 mile  
16 from our nearest project facility, which would be the  
17 location of the gen-tie, this area. This residence is  
18 the tenant that runs cattle on the Aztec Land & Cattle  
19 property, and is a supporter of our project.

20 And, Tyler, you may want to add, if I don't  
21 get this correct. We have an agreement with this  
22 landowner and is supportive of the project.

23 CHMN STAFFORD: Now, is that a different  
24 landowner than the one that the line is actually getting  
25 built on?



1 MR. MINER: That is correct. This is the  
2 tenant that runs cattle on the Aztec Land & Cattle  
3 Company.

4 CHMN STAFFORD: Okay. Okay. So it's the  
5 same owner, but a different tenant that's occupying the  
6 same owner's land, correct?

7 MR. MINER: That is correct.

8 CHMN STAFFORD: And so is that -- so that  
9 building is for the workers to stay in while they're  
10 dealing with the cattle, is that --

11 MR. HOFFBUHR: Mr. Chairman, a quick point  
12 of clarification there. That property where the house is  
13 situated is owned by a separate person who owns that  
14 house. He owns the property as well, but he is the  
15 tenant rancher on the majority of the Aztec Land & Cattle  
16 land where the solar project and in and around the solar  
17 project. So he leases all of that land pretty much on  
18 this map, a good majority of it to run cattle, but he  
19 owns the property where his house is.

20 CHMN STAFFORD: Okay. All right. That  
21 clarifies that. All right. So he's there -- he's a  
22 full-time resident of that --

23 MR. HOFFBUHR: Yes, he is.

24 CHMN STAFFORD: Okay. And he has no  
25 problem with -- well, I'm looking at the map, and it

1 looks like he's practically underneath --

2 MR. HOFFBUHR: Yes.

3 CHMN STAFFORD: -- the 500-kV lines anyway,  
4 so it doesn't seem that, you know, an addition of a  
5 230-kV line, what'd you say .4 miles away?

6 MR. CROCKETT: .64, I think.

7 CHMN STAFFORD: .64.

8 MR. MINER: That's correct. 0.64 miles to  
9 the gen-tie, yes.

10 CHMN STAFFORD: Yeah, he's much closer to  
11 if the 500-kV lines already, so all right. I just wanted  
12 to make sure we identified who that was and what their  
13 take on the project was.

14 MR. HOFFBUHR: Yeah, we have an open line  
15 of communication or we keep in touch with them quite  
16 often.

17 CHMN STAFFORD: Okay. Thank you very much.  
18 And then did another member have a question?

19 MEMBER KRYDER: I do.

20 CHMN STAFFORD: Member Kryder.

21 MEMBER KRYDER: Mr. Chairman, again,  
22 expressing my ignorance about a lot of things, what's the  
23 end game? I know it's an environmental issue, as I would  
24 see it, what happens, you talked about your -- you want  
25 to be good neighbors and so on and you're

1 owner-operators, you are going to be here 30, 35,  
2 40 years, whatever, what happens to a solar farm, and I'm  
3 just going to throw that out as the big name, for the  
4 panels, the batteries, if they come along, all the  
5 gen-tie lines, et cetera, et cetera, what happens to them  
6 30 or 40 years from now? And let me just put one other  
7 piece in there that maybe you can tie into. It appears  
8 that the energy that you're generating, power that you're  
9 generating, is to be in replacement for the coal-fired  
10 plant that's being phased out; is that correct?

11 MR. MINER: That is correct, yes.

12 MEMBER KRYDER: Okay. So what happens  
13 35 years from now, when the next technology phases y'all  
14 out? Talk to me about what the corporate thought is on  
15 that, can you do that?

16 MR. HADLEY: Certainly. Chairman Stafford  
17 and Member Kryder, so I think it is an evolving issue and  
18 we're at a stage in the solar industry that that is a new  
19 topic. Solar is still very new where there are not a lot  
20 of projects getting to that end-of-life cycle with the  
21 30- or 40-year mark. So I can say that there are  
22 currently some opportunities that a number of companies  
23 are looking into for recycling of panels, et cetera.

24 There are also some, I think,  
25 misunderstandings that, you know, even at the end of the

1 life cycle of many solar panels, they are still effective  
2 generators of electricity. They may not be at  
3 100 percent capacity as what they are today, but they are  
4 also not just waste that have no purpose at all. So they  
5 still have some value to them. And I think again, being  
6 that the operator/developer that has been there, we would  
7 try to ensure that just from an economic standpoint we  
8 wouldn't just be letting that valuable asset go to waste.

9 MEMBER KRYDER: Thank you very much for  
10 that. I was looking at, at least the understanding that  
11 I have, and some of the California wind farms, you all  
12 are in wind also in different places, and my  
13 understanding is that some of these are being phased out  
14 or the technology has bypassed them or they're only half  
15 operating. And so they're, at least in the public mind,  
16 in my mind, these big guys, as I drive over to San Diego,  
17 some of them are just sitting there looking ugly.

18 And I don't mean to tie the two of those  
19 together, but that's my concern about a solar farm. We  
20 can sit here and say, yeah, the panels have, they're only  
21 producing at 70 percent, and they did something better  
22 20 years ago. At some point there's going to be a  
23 corporate decision. It ain't worth the money. The juice  
24 ain't worth the squeeze.

25 So -- and you said we're thinking about it,

1 it's a new idea within the -- within the world of solar,  
2 but you must have more of a thought on it than it's  
3 something that I'm going to talk about next year.

4 MR. HOFFBUHR: Mr. Chairman and Member  
5 Kryder, I'll try to touch on that a little bit, just, I  
6 don't want to speak for other developers --

7 MEMBER KRYDER: Sure.

8 MR. HOFFBUHR: -- I'll speak from our  
9 company's perspective. We have projects both wind --  
10 mostly wind at this point which are kind of at that  
11 critical stage in their life, and we are actively, in the  
12 wind industry, it's a little off topic, but re-powering  
13 those projects, replacing a lot of the old technology  
14 with new to extend the life for another 20 or 30 years.  
15 We're not really in the business of just walking away,  
16 you know, from these things, we have a commitment to, you  
17 know, 95 plus percent availability meaning that  
18 95 percent of the time these things are operational, and  
19 that's -- that's more from a mechanical perspective than  
20 a resource perspective, you know, sometimes with wind,  
21 the wind doesn't blow, there's nothing you can do about  
22 that if it's cloudy, but -- but when the resource is  
23 available, we're committed to making sure that we have at  
24 least 95 percent ability -- availability in our plants.

25 So when it comes to solar, with our

1 operating projects, our one in Arizona is 10 years old,  
2 you know, maybe in 20 years we start talking about the  
3 re-power options for that facility and what it takes to  
4 extend the life of that project for another 20 years as  
5 well.

6 MEMBER KRYDER: Okay.

7 MEMBER GOLD: Mr. Chairman?

8 CHMN STAFFORD: Yes, Member Gold.

9 MEMBER GOLD: This -- I don't know how it  
10 pertains to this, this is just out of my curiosity.  
11 Let's assume you put in the solar panels now, they're at  
12 100 percent of what you'd expect them to do, what is the  
13 degradation over time? What percentage does it decrease  
14 each year? When do you anticipate the demise of these  
15 panels?

16 MR. HOFFBUHR: Mr. Chairman and Col. Gold,  
17 I -- we do know at the 20-year mark the panel degradation  
18 is less than 5 percent.

19 MEMBER GOLD: Really?

20 MR. HOFFBUHR: Yeah, it's fairly minimal.

21 MEMBER GOLD: Okay. Next question, where  
22 do you get the panels from? Do you make them? Do you  
23 buy them from China? Do we buy them from somebody who  
24 likes us?

25 MR. HOFFBUHR: We source panels. We do not

1 make panels. We are an owner-operator. There's plenty  
2 of companies out there, some from the U.S., some from  
3 Canada, some from Korea. There has been a whole lot of  
4 stuff in the news about, you know, materials out of China  
5 that there are restrictions on now through -- through the  
6 customs -- U.S. Customs. So we spend -- we source  
7 responsibly, and do our best in that regard.

8 MEMBER GOLD: Where did these panels come  
9 from that you have now?

10 MR. HOFFBUHR: They had -- for this  
11 project?

12 MEMBER GOLD: Yeah.

13 MR. HOFFBUHR: We have not procured the  
14 panels yet for this project, because we don't have a --  
15 until we have a start of -- more information from APS on  
16 the System Impact Study, and consequently after that  
17 getting a Power Purchase Agreement signed, you know, we  
18 wouldn't start procuring panels specifically for this  
19 project until a little bit closer to the start of  
20 construction.

21 MEMBER GOLD: Does your company favor  
22 buying American or --

23 MEMBER RICHINS: Mr. Chairman?

24 CHMN STAFFORD: Member Richins.

25 MEMBER RICHINS: I don't mean to interrupt,

1 but the purview of this hearing is the gen-tie for the  
2 project, not the solar facility itself, as I recall. Can  
3 we stay focused on the gen-tie and maybe these questions  
4 could be better answered offline where you could have an  
5 opportunity to speak with the applicants, but I think  
6 we're getting far afield from the purview of why we're  
7 here.

8 MEMBER GOLD: Understood.

9 CHMN STAFFORD: Look, this is Member Gold's  
10 first hearing, and so I think I'll allow him a little  
11 latitude just to kind of get a big picture of how the  
12 whole project works even though we don't have  
13 jurisdiction over the solar field itself.

14 MEMBER RICHINS: Perfect.

15 MEMBER GOLD: Understood.

16 CHMN STAFFORD: I'll let him follow his  
17 curiosity for a bit here, because I think we always like  
18 to learn more about the underlying project even though we  
19 don't have to site it.

20 MEMBER RICHINS: Thank you.

21 CHMN STAFFORD: Yes, we will be moving on  
22 from this shortly, but --

23 MEMBER GOLD: I yield.

24 MEMBER LITTLE: Mr. Chairman?

25 CHMN STAFFORD: Yes, Member Little.



1 MEMBER LITTLE: May I point out that in the  
2 application there's -- in the presentation that was given  
3 at the open house, there is a slide that talks about  
4 removing, reusing, recycling, or disposing the components  
5 at the end of the project, and that the project site can  
6 be restored to its prior use or to another use, based on  
7 the landowner wishes.

8 So the -- the applicant is on the record as  
9 providing that kind of information about what happens  
10 when the project is no longer needed.

11 CHMN STAFFORD: Right. And I do seem to  
12 recall that this is a lease, they didn't purchase the  
13 property for the solar project or the line, it's leased  
14 land. So at some point the lease is up and you have an  
15 obligation to return the land to its owner in the  
16 condition that it was when you got it, typically. So --  
17 but I think when it comes to, you know, what happens --  
18 what's the lifespan or lifecycle of solar panels, I think  
19 that's a lot of talk going on in the industry about  
20 having some kind of supply chain set up to have a  
21 circular lifespan for these panels so they can, after 20,  
22 30 years just you don't throw them all in the dumpster  
23 and get them smashed and wasted. There are ways to  
24 recycle materials, but I think because it's still growing  
25 and there's, like you said, most of these plants are

1 still in the first 10 -- 10 years of life, they're not to  
2 that 20-, 30-year lifespan yet. But as we get closer, my  
3 understanding is the industry is going to have to address  
4 that and have some kind of, like I said, a circular  
5 lifecycle pattern for these -- for these -- the panels  
6 themselves. But --

7 MEMBER SOMERS: Mr. Chair?

8 CHMN STAFFORD: That's beyond the scope of  
9 the CEC, but I'm just -- that is something that does  
10 comes up and people are curious about it, so -- I heard a  
11 voice crying in the wilderness, is that Mr. -- Member  
12 Somers?

13 MEMBER SOMERS: It is Member Somers. I  
14 thought I would chime in here a little bit, just as  
15 there's an interest in solar panel renewal, there is a  
16 company going to be moving to Mesa, Arizona, we just  
17 approved the zoning in one of our industrial areas whose  
18 sole purpose is to recycle panels, both residential and  
19 industrial. So the market for recycled materials and the  
20 ability to recycle these panels over time is expanding,  
21 and we're seeing that starting to happen right now.

22 MR. HADLEY: And, Chairman Stafford, if I  
23 may, I think to kind of come full circle, I think the  
24 wind industry and the re-powering and kind of upgrading  
25 the models has been a really good lesson to learn for

1 renewable developers to be thinking sooner about the  
2 solar lifecycle rather than when we get there, let's just  
3 do it and then figure it out.

4 So I think to his point, there are a lot of  
5 companies that are looking for those alternatives now,  
6 even before there is a real big need.

7 MEMBER GOLD: Mr Chairman?

8 CHMN STAFFORD: Member Gold.

9 MEMBER GOLD: I think what they're  
10 referring is a slide they have here that says,  
11 "decommissioning" and the -- your company specifically  
12 mentions solar arrays, which is the reason I asked the  
13 question. So you are considering that now which is  
14 admirable.

15 MR. MINER: Yes, if I may Chairman  
16 Stafford, Col. Gold, as part of our SUP process, going  
17 with Navajo County, for the Special Use Permit, we did  
18 discuss our decommissioning and reclamation plans with  
19 the County.

20 MEMBER KRYDER: Mr. Chairman?

21 CHMN STAFFORD: Member Kryder.

22 MEMBER KRYDER: Not to drag this out, but I  
23 am to represent -- or I represent Arizona agriculture,  
24 where you're talking about graze land here, the solar  
25 farm and the battery placement and so on, not the lines,

1 but this all took graze land out of production and the  
2 commitment is that if you stop using it, it will be  
3 restored. Okay? So that's the reason I brought this up  
4 is because it's a part of the bigger picture, as Chairman  
5 spoke a moment ago, it's a part of the bigger picture  
6 that I believe the committee needs to look at, and I  
7 certainly appreciate what my member -- I can't remember  
8 your last name down there, Dave.

9 MEMBER RICHINS: Just call me Dave.

10 MEMBER KRYDER: Not to drag this out, but I  
11 do have a concern, not about this project per se, but  
12 more as a general statement of people who just walk away  
13 from them. And say, well, the juice ain't worth the  
14 squeeze, so I'm on to my next deal. And so we're left,  
15 then, with loss of the graze land and a whole bunch of,  
16 pardon me, but a whole bunch of junk standing out on the  
17 field.

18 So what do you do to prevent that? That's  
19 what I'm concerned about. And the easiest process that  
20 I've seen in projects is that a bond be issued, set aside  
21 by the developer, or the applicant in this case that says  
22 nobody knows what 20 years of inflation is going to do  
23 for us, but we can come up with some magic number, and  
24 we're going to buy a bond due 30 years from now that will  
25 be enough to do the cleanup and make it back for the nice

1 cows to come out and eat.

2 So that's my vision of what cleanup would  
3 mean. Yours is another one, which I appreciate more, and  
4 that is we're going to refurbish these, we're going to  
5 replace them with a newer technology, blah, blah, blah,  
6 which is great to keep the whole system working, but in  
7 the event that it's the next applicant who is less  
8 environmentally sound or business sound, or whatever, I  
9 have a serious concern about everybody who makes an  
10 application needs to, I think, take a strong commitment  
11 to cleaning this up and getting it back to a pasture  
12 field, if that's where it started out.

13 So my proposal would be, if asked, and I  
14 haven't been asked, would be to set up a bond system.  
15 That's the clearest way that everybody has a buy-in to  
16 make sure that what they say will happen will, in fact,  
17 happen.

18 MR. HOFFBUHR: Chairman Stafford and Member  
19 Kryder that, in this case for this project it's actually  
20 an all-of-the-above for us. We do have a commitment for  
21 a bond not at the 30-year mark, but at the 10-year mark,  
22 to --

23 MEMBER KRYDER: 10 and renewable?

24 MR. HOFFBUHR: Yes, yes, exactly. So  
25 that's a very common thing around the country for

1 projects like this, is whether it's -- it's as a part of  
2 the lease or -- or with the permit itself, the County  
3 Special Use Permit, the bond requirement. So  
4 that's -- it's not -- it's not required everywhere, but  
5 it's becoming more and more common for that requirement,  
6 so you're right on.

7 MEMBER KRYDER: Was it required for this  
8 project?

9 MR. HOFFBUHR: There is a bond. Yes, we  
10 have one here.

11 MEMBER KRYDER: In the dollar amount of?

12 MR. HOFFBUHR: I couldn't --

13 MEMBER KRYDER: Back of the envelope?

14 MR. HOFFBUHR: I couldn't even -- I don't  
15 want to --

16 MEMBER KRYDER: One and a lot of zeros?

17 MR. HOFFBUHR: Yes. Yes.

18 MEMBER KRYDER: Thank you very much. Thank  
19 you, Mr. Chairman.

20 MEMBER MERCER: Mr. Chairman?

21 CHMN STAFFORD: Member Mercer.

22 MEMBER MERCER: Yes. I'm looking at the  
23 picture on the right, I see the little blue dots that  
24 they represent wells. Are those active wells, water  
25 wells?

1 MR. MINER: Yes, the blue dots that are  
2 indicated here are active wells that are on the Registry  
3 of Arizona State.

4 MEMBER MERCER: Okay. I see a couple of  
5 them that are right smack in the middle of the -- where  
6 the solar panels are going to be, right there, where  
7 you're pointing out. Is there -- is there going to be  
8 any interference?

9 MR. HOFFBUHR: Member Mercer, one thing to  
10 clarify here on the solar site is that is our lease area.  
11 And we currently don't plan to develop 100 percent of  
12 that lease area. That is the area we have available to  
13 us for our design, but we will -- our goal is to design  
14 responsibly within that to minimize grading impacts and,  
15 you know, cultural and any other type of resource issues,  
16 which could include the wells.

17 MEMBER MERCER: Okay. So you'll be going  
18 around the wells?

19 MR. HOFFBUHR: I don't have the array up,  
20 but I believe so, yes.

21 MR. HADLEY: And just to clarify, I think  
22 we would work hand in hand with the landowner, if that's  
23 something that's important to him, then we would site  
24 around it.

25 MEMBER MERCER: Thank you.

1 CHMN STAFFORD: That's probably addressed  
2 in the lease whether he wants you to cover up his wells  
3 or not.

4 MR. HADLEY: I think he -- I think the  
5 landowner has the answer right now. He's like -- I'm  
6 sure he could tell you right now that they either will  
7 not or will cover them.

8 CHMN STAFFORD: Exactly.

9 Any other questions from members?

10 (No response.)

11 CHMN STAFFORD: Mr. Crockett, please  
12 proceed.

13 MR. CROCKETT: Thank you, Chairman.

14 Q. Mr. Miner, we've had a lot of discussion already  
15 today about the existing utility infrastructure in the  
16 area. Is there anything that you want to add to the  
17 discussion that we've already had around the existing  
18 infrastructure?

19 A. (MR. MINER) No, I believe we've covered it very  
20 well.

21 Q. Okay. Thank you.

22 MR. HOFFBUHR: Sorry, Jeff, I do have one  
23 more --

24 MR. CROCKETT: Sure.

25 MR. HOFFBUHR: -- there was a question, I



1 believe it was from Chairman Stafford, on the height of  
2 the line above Obed Road. I did confirm that that is  
3 approximately 90 feet above Obed Road for the height of  
4 the transmission line going over Obed Road.

5 CHMN STAFFORD: That's the clearance from  
6 the road?

7 MR. HOFFBUHR: That was what our  
8 engineers --

9 CHMN STAFFORD: 90 feet?

10 MR. HOFFBUHR: Yes.

11 CHMN STAFFORD: That's a lot more than 27.

12 MR. HOFFBUHR: It's a lot more than 27.

13 MEMBER KRYDER: And the right way.

14 CHMN STAFFORD: Yes. Well, you couldn't be  
15 lower than 27, pretty sure of that.

16 BY MR. CROCKETT:

17 Q. Okay. Mr. Miner, would you please state your  
18 conclusions regarding whether the project is compatible  
19 with existing land uses?

20 A. (MR. MINER) Yes. Our conclusion is that the  
21 construction and operation of the project would not  
22 conflict with the existing land uses at or surrounding  
23 the project site. The majority of the gen-tie line would  
24 parallel the existing 345-kilovolt transmission lines and  
25 cross parcels with compatible existing open range,

1 utility, and vacant land uses. The project would be  
2 compatible with the existing land uses.

3 Q. Okay. So we've talked about the existing land  
4 uses, let's talk about what we know about future land  
5 uses in the area. Would you please describe your  
6 findings regarding future land uses, as detailed in  
7 application Exhibit A, B, and H, and as mapped in  
8 application Figure A-4.

9 A. (MR. MINER) Yes. TetraTech completed a review  
10 of future and planned land uses identified in the Navajo  
11 County Comprehensive Plan, the Navajo County Character  
12 Areas Map, and the Navajo County Aztec Area Plan, and  
13 through coordination with the Navajo County Planning and  
14 Development Department, and the private landowner. The  
15 project conforms with these management plans. The future  
16 land uses within the study area are mapped on Figure A-4  
17 shown on this slide.

18 This data was taken from the character areas map  
19 and the comprehensive plan, which identify that the  
20 project area is primarily listed as range land, and the  
21 portion of the APS property is identified as community  
22 village. These future land uses can generally be  
23 described as rural with generation and associated  
24 transmission infrastructure.

25 The project parcels are zoned Rural Zoning

1 District 20 and Rural District 1. The gen-tie and the  
2 substation are permitted uses under the existing and  
3 current zoning, and there's no zoning change required for  
4 these facilities.

5 The related solar facility is allowed under a  
6 Special Use Permit, as we've discussed from Navajo  
7 County. The solar facility Special Use Permit was passed  
8 and adopted unanimously by Navajo County Board of  
9 Supervisors at a public hearing held September 13th,  
10 2022.

11 Q. So, Mr. Miner, just so I'm clear on this, the  
12 solar power plant requires a Special Use Permit, but not  
13 the substation; is that correct?

14 A. (MR. MINER) That is correct.

15 Q. And the gen-tie line itself does not require a  
16 Special Use Permit?

17 A. (MR. MINER) That is correct.

18 Q. You mentioned the Aztec Area Plan, would you  
19 please provide a little more detail about what that is,  
20 and the relevance to this application?

21 A. (MR. MINER) Yes. As stated previously, the  
22 project crosses a single private landowner, and APS-owned  
23 parcels. The private landowner in this case is the Aztec  
24 Land & Cattle Company. The Aztec Area Plan is an  
25 approved stand-alone document that will guide decisions

1 by the Planning and Zoning Commission and the Navajo  
2 County Board of Supervisors, which adopted the plan back  
3 in 2011.

4 The plan encompasses over 228,000 acres of land  
5 owned by the Aztec Land & Cattle Company within Navajo  
6 County. This is shown on slide 80, the areas in  
7 different colors are Aztec Land & Cattle-owned  
8 properties. The project's general location is shown on  
9 this slide indicated by the red circle near the top  
10 center of the figure. The planning document acknowledges  
11 existing renewable energy facilities and identifies  
12 opportunities for renewable energy developments. The  
13 majority of the project is located on Aztec rural ranch  
14 character areas, which states that utilities and energy  
15 generation facilities are encouraged within this  
16 character area. The project is located within two areas,  
17 two planning areas identified in the Aztec Area Plan.

18 Planning area M and N. Both planning areas are  
19 identified as suitable for renewable energy development  
20 projects. And planning area N was identified as an  
21 excellent location for future renewable energy due to its  
22 location adjacent to numerous transmission lines, and the  
23 visual dominance of the Cholla Power Plant.

24 Q. Mr. Miner, would you please describe your  
25 findings whether the project is compatible with future

1 land uses?

2 A. (MR. MINER) Yes. The project is within an area  
3 that's planned for additional renewable energy  
4 developments. Those developments would also be in  
5 accordance with the comprehensive plan and the Aztec Area  
6 Plan. The applicant continues to coordinate with the  
7 landowner and with APS regarding the other planned  
8 projects.

9 The project has secured, as we've mentioned  
10 previously, has secured its easement for the gen-tie and  
11 substation on the privately owned parcels. The applicant  
12 and landowner are aware of and are in coordination with  
13 other planned renewable energy projects in the study  
14 area.

15 Our finding is that the project would be  
16 compatible with identified future land uses for the  
17 region and is allowed under its existing zoning.

18 Q. Mr. Miner, did Aurora Solar mail out letters in  
19 support of application Exhibit H?

20 A. (MR. MINER) Yes. As previously described,  
21 Aurora Solar sent letters inviting stakeholders to the  
22 virtual and in-person community meetings, as well as  
23 requesting review and comment from key stakeholders  
24 within Joseph City, Navajo County, and Arizona State  
25 government officials and agencies, as identified in our

1 mailing list Appendix J-9.

2 Q. And did the applicant receive any responses to  
3 these mailings regarding Exhibit H?

4 A. (MR. MINER) Yes. To date, Aurora Solar has  
5 received a response from the Arizona Game & Fish  
6 Department, which provided standard mitigation  
7 recommendations for the project. These recommendations  
8 will be discussed more fully by Mr. Pohs's testimony on  
9 biological resources.

10 Q. And we talked about this earlier, but is Exhibit  
11 OM-17 a true and correct copy of the response letter that  
12 you received or that the applicant received from the  
13 Arizona Department of Game & Fish?

14 A. (MR. MINER) That is correct.

15 Q. All right. Okay. So we're now going move on  
16 from existing and future land uses and talk about  
17 biological resources. And we're going to turn to  
18 Mr. Pohs for that.

19 Good afternoon, Mr. Pohs.

20 A. (MR. POHS) Good afternoon.

21 Q. Would you please describe TetraTech's findings  
22 regarding areas of biological wealth and biological  
23 resources, as detailed in application Exhibits C and D?

24 A. (MR. POHS) Sure. Application Exhibit C  
25 addresses species protected by federal or state laws and

1 policies, and also addresses whether any areas protected  
2 for conservation purposes are present in or near the  
3 vicinity of the project.

4 As part of our inventory, TetraTech biologists  
5 conducted field surveys to document existing conditions  
6 of the project area, and to note whether habitat for any  
7 special status, threatened, or endangered species was  
8 present. Readily available online information was also  
9 provided by the Arizona Game & Fish Department and from  
10 the U.S. Fish & Wildlife Service to identify potential  
11 occurrence of any protected species and their habitat, as  
12 well as any protected areas that may be present.

13 Field surveys were conducted throughout the  
14 related solar facility site, as well the substation and  
15 gen-tie line project areas up to the APS property line.  
16 Surveys were conducted in October 2021, April 2022, and  
17 April 2023. The initial biological resources assessment  
18 report, which covered the solar facility and gen-tie  
19 easement up to the APS property line was delivered to the  
20 Arizona Game & Fish Department for review. The  
21 Department's response letter is included in OM-17.

22 Additionally, TetraTech notified the Department  
23 of the CEC application requesting review and confirming  
24 if the original response letter, which covers the solar  
25 facility and gen-tie project areas, is current and

1 comprehensive. This e-mail correspondence is presented  
2 in OM-16. Surveys identified the predominant land cover  
3 consisted of desert shrubland with some herbaceous  
4 grassland areas. There was limited plant diversity and  
5 few trees present. The Little Colorado River floodplain  
6 is dominated by alkaline tolerant tamarisk, particularly  
7 near the river channel and indigo bush and greasewood.  
8 There were no raptor nests observed and no sensitive  
9 wildlife species or their sign were observed.

10           There are no federal or state managed  
11 conservation areas in the project area. The nearest is  
12 located 9.8 miles west of the project. There are no  
13 Arizona Game & Fish Department mapped important  
14 connectivity zones in the project area. However,  
15 connectivity zones do occur 5 miles from the project  
16 area, approximately 5 miles from the area.

17           The Game & Fish online environmental review tool  
18 report identified the Peebles Navajo Cactus and roundleaf  
19 errazurizia, as occurring within three miles of the  
20 project. The biological resources map figure identifies  
21 the Peebles Navajo Cactus range in the blue hashed areas.  
22 Is that -- is that on this one or the next?

23           Okay. So the Navajo Peebles Cactus habitat is  
24 generally south -- well, entirely south of the gen-tie  
25 corridor. The gen-tie corridor is in red there. The



1 Peebles Cactus occurs on sandy substrates actually above  
2 the 100-year floodplain and it's south of -- it's all  
3 south of the current corridor.

4 Q. And, Mr. Miner, would you just highlight the  
5 gen-tie location on the map here just so we've got it.

6 Thank you.

7 MEMBER LITTLE: Mr. Chairman?

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: I'm a little confused. The  
10 AGFD report on page 10 says that, "Analysis indicates  
11 that your project is located in the vicinity of an  
12 identified wildlife habitat connectivity feature."

13 Is that the one that is referenced up here  
14 as being 5 miles away?

15 MR. POHS: Yeah, so that online tool,  
16 Member Little, is -- it actually has a buffer that spans,  
17 I think it's 3 miles outside of the actual corridor.

18 MEMBER LITTLE: Uh-huh.

19 MR. POHS: So I imagine it's pulling in  
20 that connectivity zone that is within the buffer area,  
21 but well outside the actual corridor we're looking at.  
22 So the original online search takes in a broader area.

23 Is that --

24 MEMBER LITTLE: Yes, that explains it.

25 MR. POHS: -- make sense?

1 MEMBER LITTLE: But that -- that means it's  
2 far enough away that there's no mitigation measures that  
3 are going to be necessary as a result?

4 MR. POHS: Correct.

5 MEMBER LITTLE: Okay. Thank you.

6 MR. MINER: If I could add, Member Little,  
7 the connectivity areas are shown on this map figure in  
8 the purple hashed areas, so you can see the Arizona Game  
9 & Fish Department boundary of important connectivity  
10 zones. And you can see how that is related to the  
11 gen-tie location.

12 MEMBER LITTLE: Thank you.

13 MR. POHS: Thank you.

14 BY MR. CROCKETT:

15 Q. So please continue, Mr. Pohns.

16 A. (MR. POHS) Sure. The U.S. Fish & Wildlife  
17 Service information for planning and conservation online  
18 report identified two threatened species, the  
19 yellow-billed cuckoo and the Little Colorado spinedace.  
20 One candidate species, the Monarch butterfly, and one  
21 experimental population, the Mexican Gray Wolf, as having  
22 potential to occur in the vicinity of the project. No  
23 critical habitats occur within or near the project area.  
24 And I would emphasize again that online tool has a  
25 slightly broader area than just the corridor.

1           So for these species, field surveys concluded  
2 that suitable habitat, to include Cottonwood Willow  
3 Riparian Forest for the yellow-billed cuckoo is not  
4 present in the project area. Therefore, this species has  
5 a low likelihood of occurrence.

6           Suitable habitat for the Little Colorado  
7 spinedace may be present in the Colorado River, which has  
8 intermittent flow. No impact to the Little Colorado  
9 River are anticipated as the gen-tie line would span the  
10 river. No milkweed was observed during surveys within  
11 the project area. These plants are required for Monarch  
12 butterfly reproduction; however, suitable foraging  
13 habitat is present for this butterfly.

14           TetraTech determined the likelihood of  
15 occurrence for this species is also low. The Mexican  
16 Gray Wolf, as an experimental population, is not afforded  
17 protection under the Endangered Species Act. And as a  
18 habitat generalist, the likelihood of occurrence is  
19 considered low in this area, as this species is most  
20 commonly found in wooded and forested habitats along the  
21 Eastern Mogollan Rim and in the White Mountains. So  
22 fairly far away from -- from the corridor.

23           Q.    And, Mr. Pohns, would please describe now,  
24 TetraTech's review of any wetlands or water body  
25 resources -- resource surveys?

1 A. (MR. POHS) Sure. Wetland and water body  
2 delineation surveys were conducted for the solar facility  
3 site and the gen-tie line project areas. Surveys for the  
4 solar facility project areas were conducted in October  
5 2021 and April 2022. An additional survey was conducted  
6 in April of 2023 for the gen-tie line easement.

7 Surveys for the gen-tie line conducted up to the  
8 APS property line found that no wetlands were observed  
9 during these surveys. Two ephemeral streams were  
10 observed and the Little Colorado River, an intermittent  
11 river, was observed. The Little Colorado River is  
12 classified as intermittent by the USGS National  
13 Hydrography Dataset, as well as the U.S. Fish & Wildlife  
14 Service National Wetlands Inventory.

15 The ephemeral streams observed were not mapped  
16 by either the USGS or the U.S. Fish & Wildlife Service.  
17 Additionally, the Federal Emergency Management Agency has  
18 identified a 100-year floodplain for the Little Colorado  
19 River, which the project crosses.

20 A. (MR. MINER) That's shown on the next slide.

21 A. (MR. POHS) Oh, is it?

22 A recent, I should say, notably, a recent  
23 Supreme Court decision, Sackett versus EPA decision  
24 suggests ephemeral and intermittent streams and wetlands  
25 are not considered jurisdictional under the Clean Water

1 Act. So essentially what we've found out there in the  
2 field has no jurisdiction or is not covered by federal  
3 law at this point.

4 Q. Mr. Pohs, what impacts, if any, does TetraTech  
5 believe the project may have on areas of biological  
6 wealth?

7 A. (MR. POHS) The project is not anticipated to  
8 adversely affect, threaten, or endanger species, their  
9 critical habitats or associated suitable habitats. No  
10 areas of biological wealth were identified. There were  
11 no important connectivity zones, no conservation areas,  
12 and no critical habitats along the actual gen-tie line  
13 corridor.

14 The Little Colorado River is identified as a  
15 wildlife movement area; however, no impacts to the river  
16 or to substrate are anticipated or would occur really.  
17 The project does cross the 100-year floodplain of the  
18 Little Colorado River, so that's shown here, that whole  
19 hashed, I -- my vision's gone here, but the purple area  
20 is all the FEMA 100-year floodplain. So that really the  
21 entire corridor, nearly the entire corridor is within  
22 that. Outside of the actual river channel, which is the  
23 orange there it appears.

24 Minor impacts to existing alkaline shrubland  
25 currently utilized for cow grazing are expected. During

1 construction, wildlife may be displaced temporarily.  
2 These impacts will be localized and would not negatively  
3 impact areas of biological wealth outside of the project.

4 Q. Mr. Pohs, given that there are no threatened or  
5 endangered species and no anticipated impacts to areas of  
6 biological wealth within the project area, are there any  
7 mitigation measures that are required to reduce the  
8 impact of the project on the environment?

9 A. (MR. POHS) Yes. Mitigation measures that would  
10 be implemented for the project would be typical best  
11 management practices. And the applicant would comply  
12 with the Arizona Game & Fish Department guidelines for  
13 handling protected animal species should any be  
14 encountered during construction or operation, and would  
15 consult with the Arizona Game & Fish Department and/or  
16 Fish & Wildlife Service on other issues concerning  
17 wildlife.

18 Additionally, transmission structures would be  
19 constructed in compliance with standards provided by the  
20 Avian Power Line Interaction Committee, APLIC, which  
21 minimizes the risk of electrocution for large birds. The  
22 project will also comply with the recommendations and  
23 conditions of the Arizona Game & Fish Department's  
24 response letter, both the initial letter and what we may  
25 see here in the near future perhaps, which covers both

1 the solar facility and the gen-tie line project areas.

2 In summary, the Arizona Game & Fish Department  
3 recommends avoiding wetlands and water bodies, to the  
4 extent possible. And these really weren't identified.  
5 The only water body would be the Little Colorado River,  
6 which is being spanned. They have requested coordination  
7 during the site design to identify wash corridor buffers  
8 and to provide guidance with appropriate fence design for  
9 the solar facility. They recommend conducting  
10 pre-construction focus surveys for the Peebles Navajo  
11 Cactus and the Western Burrowing Owl. And they recommend  
12 pre-construction surveys and monitoring in accordance  
13 with the Arizona Game & Fish Department's guidelines for  
14 solar development in Arizona. So those will be followed.

15 Best management practices were also recommended,  
16 which included using only the minimum amount of lighting  
17 needed for safety, constructing wildlife compatible  
18 fencing, minimizing the time trenches remain open, so  
19 snakes or other critters don't fall in there and are  
20 trapped, and minimizing the introduction and spread of  
21 invasive species. The project will comply with these  
22 recommendations, conditions, and best management  
23 practices, as well as permit conditions and Arizona State  
24 laws including the Arizona Native Plant Law.

25 Q. So, Mr. Pohs, we covered this earlier but the

1 Exhibit OM-17, that's a true and correct copy of the  
2 Arizona Game & Fish Department response letter that  
3 Aurora Solar received?

4 A. (MR. POHS) Yes.

5 Q. Now, would you please describe your conclusions  
6 regarding whether the Obed Meadow project is compatible  
7 with wildlife and plant species and any affected habitat?

8 A. (MR. POHS) Sure. Yeah. Based on TetraTech's  
9 evaluation, the development and operation of the project  
10 would be compatible with wildlife and plant species, as  
11 well as the affected existing vegetation and rangeland.  
12 As evidenced by the numerous existing and planned  
13 transmission lines and their corridors in the vicinity of  
14 the project.

15 Q. Thank you, Mr. Pohns. I'm wrapped up with the  
16 biological resources part of the presentation. Next up  
17 we're going to move on to visual resources, so I don't  
18 know if there's any questions on biology or -- Chairman?

19 CHMN STAFFORD: I think this is a pretty  
20 good stopping place but -- because we have the public  
21 comment at 5:30. I think the court reporter is ready for  
22 a break.

23 Member Richins, if you have a quick  
24 question?

25 MEMBER RICHINS: I do.



1 CHMN STAFFORD: I'll take that.

2 MEMBER RICHINS: I do.

3 Mr. Pohs, you referred to the Sackett  
4 decision, and offered an interpretation of it. Has the  
5 EPA issued its rulemaking based on that Sackett decision  
6 yet?

7 MR. POHS: It has not.

8 MEMBER RICHINS: I was curious about your  
9 interpretation of it, because there is no rulemaking  
10 issued on that yet.

11 MR. POHS: Right. While reading -- reading  
12 the language of the Court intensely several times, it  
13 definitely appears that ephemeral and intermittent  
14 streams would not be covered under the Act.

15 Now the official EPA guidance regarding  
16 this, I believe is due on September 1st. So I guess  
17 that's my interpretation of it, but that's most  
18 everybody's interpretation of it. So we will wait to see  
19 exactly what EPA says, but --

20 MEMBER RICHINS: Yeah, and I wouldn't  
21 disagree with you. We just need to be really careful  
22 about offering into the record an interpretation of a  
23 Supreme Court decision that it's going to rule in a  
24 certain -- or that that's going to be interpreted in the  
25 rulemaking in a certain way. So I just -- you know, for

1 the record, we just need to make sure that we're clear  
2 that there's -- and I agree, I think that it will be  
3 interpreted the way that you're saying, but it might not.

4 MR. POHS: Sure.

5 MEMBER RICHINS: So we just need to be a  
6 little bit careful there.

7 MR. POHS: Understood. Thank you.

8 CHMN STAFFORD: We'll let the record  
9 reflect that it's Mr. Pohs's opinion and not fact that  
10 he's describing as what the anticipated rulemaking will  
11 result.

12 MR. POHS: My apologies.

13 MR. CROCKETT: Not a legal opinion.

14 MEMBER RICHINS: Sorry, I was triggered by  
15 that.

16 MR. POHS: It's interesting to me, but  
17 yeah.

18 CHMN STAFFORD: Member Little, you had a  
19 question as well?

20 MEMBER LITTLE: Yes. My question is  
21 whether or not there needs to be any structural changes  
22 or specific structural things done with the transmission  
23 with the poles, because of the 100-year floodplain?  
24 We've seen so many floods and crazy weather lately, I'm  
25 just wondering 100-year floodplain is not -- is not

1 unexpected that perhaps we might have floods in that  
2 area.

3 MR. HOFFBUHR: Member Little, I think  
4 you're right. You plan for the worst and hope for the  
5 best, you know, and I think that's -- that's, you know,  
6 what our engineers do. We will engineer to the 100-year  
7 floodplain, or better, you know, with our engineering  
8 design for those poles, whether that means -- I'm not an  
9 engineer, but, you know, in conversations with our  
10 engineers that just means driving the poles deeper with a  
11 larger foundation, potentially.

12 CHMN STAFFORD: All right. If there's no  
13 further questions from members. Mr. Crockett?

14 MR. CROCKETT: And this is probably on your  
15 list, Chairman, but we need to talk about whether we have  
16 a tour tomorrow. We have prepared a tour itinerary and a  
17 route map and we've got vans reserved to do that, but I  
18 understand it's -- it's at the discretion of the  
19 committee. So we need to finalize some arrangements  
20 tonight if you want to do a tour and, if not, we'll  
21 cancel those arrangements.

22 CHMN STAFFORD: Well, Members, what is your  
23 pleasure? I'm inclined not to take a tour, but --

24 MEMBER GOLD: I agree.

25 CHMN STAFFORD: If enough of you think we

1 should, then we can.

2 MEMBER GOLD: I don't see a need for it.

3 MEMBER RICHINS: Yeah, I agree.

4 CHMN STAFFORD: All right. There is no  
5 appetite from the committee for a tour, so you may cancel  
6 those buses.

7 MR. CROCKETT: Okay. Excellent. We will  
8 do that.

9 And just looking at my outline, we've gone  
10 through 21 pages. I've got about 10 to go, I think the  
11 last 10 will go a little quicker than the first 22. So I  
12 think probably another hour we'll probably be wrapped up  
13 with our presentation, just for planning purposes.

14 CHMN STAFFORD: Okay. All right. Well, we  
15 will be taking a recess now to give the court reporter a  
16 break, plus we will be back at 5:30 for the public  
17 comment session. So with that we stand in recess.

18 (Recessed from 4:55 p.m. until 5:31 p.m.)

19 CHMN STAFFORD: Let's go back on the  
20 record. Now is the time set for public comment for line  
21 siting case 222.

22 Do we have any public commenters on the  
23 Zoom?

24 AUDIOVISUAL TECHNICIAN: Mr. Chairman, I  
25 have a handful of people on Zoom. I'm not aware if they

1 would like to make comment or not, but this is definitely  
2 the time if they would like to.

3 MS. BELLENDIR: Hi, this is Claire Brophy  
4 Bellendir of Aztec Land & Cattle. I'd like to comment at  
5 some point when you give me the okay.

6 CHMN STAFFORD: If you would just state  
7 your name and spell your last name for the court  
8 reporter, you can make your comments immediately after  
9 that.

10 MS. BELLENDIR: Sure. It's Claire, and  
11 then Bellendir, B-e-l-l-e-n, as in Nancy, d, as in dog,  
12 i-r.

13 CHMN STAFFORD: Please proceed.

14 MS. BELLENDIR: Well, thank you for hearing  
15 me out. As I said, I'm with Aztec Land & Cattle Company.  
16 We leased Avangrid the land for their solar project, and  
17 then we also granted them easements for which you are  
18 discussing tonight where they would put their  
19 transmission line through.

20 We've been on the phone with the Commission  
21 previously, once with Invenergy for their solar project  
22 and most recently with AES for their wind project. I  
23 thank you for working with all of our lessees, and for  
24 listening to my two cents. I'll be brief. And it's kind  
25 of at the risk of sounding like a broken record or

1 repeating things that I'm sure you already know.

2 This upcoming closure of Cholla will leave  
3 a rural community without their major employer or one of  
4 their major employers. And a large tax revenue  
5 contributor. And it also leaves hundreds of millions of  
6 dollars of infrastructure, existing infrastructure that's  
7 already paid for available for use.

8 In our minds, this project and those like  
9 it, check all the boxes. It's going to help Navajo  
10 County recover its tax base. It will use the existing  
11 infrastructure. And it brings APS closer to its goal of  
12 its renewable mandate. I just want to note, I guess, for  
13 the committee on the transmission line route, we worked  
14 really hard with Avangrid to get as direct of a line to  
15 Cholla as possible. We can't give them the whole path,  
16 we don't own all the land leading up to the plant, but we  
17 think it's fairly straightforward as -- as unintrusive  
18 [sic] as possible. That's it for my comments. Thank you  
19 for listening.

20 CHMN STAFFORD: Thank you very much. We  
21 appreciate you making comment. Is there anyone else on  
22 the line or on the Zoom that would like to make public  
23 comment?

24 (No response.)

25 CHMN STAFFORD: It appears not. How

1 many -- how many people do we still have on the Zoom?

2 AUDIOVISUAL TECHNICIAN: There are a  
3 handful of names, I think maybe four, but they may just  
4 be here to observe and not provide comment as well.

5 CHMN STAFFORD: All right. So none of the  
6 four on the Zoom, none of you would like to provide  
7 public comment at this time?

8 (No response.)

9 CHMN STAFFORD: Well, it appears not.

10 MEMBER RICHINS: It looks like there's a  
11 comment in the chat.

12 CHMN STAFFORD: Is there a comment in the  
13 chat?

14 AUDIOVISUAL TECHNICIAN: There are no  
15 comments in the chat.

16 MEMBER RICHINS: Oh, it looked like there  
17 was a bubble there on the chat. Yeah, if somebody's  
18 having a hard time coming off mute, maybe they could pop  
19 in the chat and let us know if they have a technical  
20 difficulty.

21 AUDIOVISUAL TECHNICIAN: Mr. Chairman, that  
22 chat was just me asking if anyone wanted to make a  
23 comment.

24 CHMN STAFFORD: Well, thank you.

25 MR. CROCKETT: And, Mr. Chairman, you might

1 also for the record indicate that there does not appear  
2 to be anyone here in the hearing room here to make public  
3 comment.

4 CHMN STAFFORD: Oh, yes. No one has shown  
5 up in person to publicly comment at this time either.

6 Well, with that, I think we can go off the  
7 record for a while to see if anybody else shows up to  
8 make public comment. If they do, then we can come back  
9 on the record and take that comment. But other than  
10 that, nothing -- no one here to say anything at this  
11 particular point in time, we will just go off the record.

12 (Recessed from 5:36 p.m. until 6:00 p.m.)

13 CHMN STAFFORD: Let's go back on the  
14 record. It is now 6:00. No other members of the public  
15 have shown up in person to comment or called in on the  
16 phone or in the Zoom. So with that, public comment is  
17 concluded, and we will go into recess until tomorrow  
18 morning at 9:00, and we'll come back and resume the  
19 hearing. We stand in recess.

20 (The hearing recessed at 6:00 p.m.)

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1 STATE OF ARIZONA )  
COUNTY OF MARICOPA )

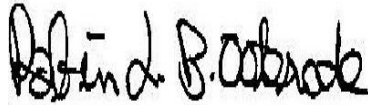
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4 BE IT KNOWN that the foregoing proceedings were  
5 taken before me; that the foregoing pages are a full,  
6 true, and accurate record of the proceedings all done to  
the best of my skill and ability; that the proceedings  
were taken down by me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

7 I CERTIFY that I am in no way related to any of  
8 the parties hereto nor am I in any way interested in the  
outcome hereof.

9 I CERTIFY that I have complied with the ethical  
10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206  
11 (J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this  
12 13th day of August, 2023.

13  
14



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

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\* \* \* \* \*

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

21  
22



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