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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

JIM O'CONNOR – CHAIRMAN  
LEA MÁRQUEZ PETERSON  
ANNA TOVAR  
KEVIN THOMPSON  
NICK MYERS

Arizona Corporation Commission

**DOCKETED**

**DEC 12 2023**

**DOCKETED BY**

*TM*

IN THE MATTER OF THE APPLICATION OF AURORA SOLAR LLC, A WHOLLY OWNED SUBSIDIARY OF AVANGRID RENEWABLES LLC (AVANGRID) FOR ITS APPLICATION FOR THE APPROVAL OF TWO SEPARATE CERTIFICATED OF ENVIRONMENTAL CAPABILITY FOR A PROPOSED 230-KILOVOLT (KV) ALTERNATING CURRENT GENERATION TRANSMISSION TIE-IN LINE (GEN-TIE LINE) AND ASSOCIATED SUBSTATION FACILITIES (COLLECTIVELY, "PROJECT") LOCATED IN UNINCORPORATED NAVAJO COUNTY, ARIZONA.

**DOCKET NO. L-21254A-23-0184-00222**

**CASE NO. 222-B**

**DECISION NO. 79188**

**ORDER**

Open Meeting  
November 29, 2023  
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360 *et seq.*, after due consideration of all relevant matters, the Arizona Corporation Commission (Commission) finds and concludes that the Certificate of Environmental Compatibility (CEC 222-B) issued by the Arizona Power Plant and Transmission Line Siting Committee (Siting Committee) is hereby approved as granted by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical, and reliable supply of electric power

1 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds  
2 that approval of CEC 222-B is in the public interest.

3 The Commission further finds and concludes that in balancing the broad public interest in this  
4 matter:

- 5 1. The Project is in the public interest because it aids the state in meeting the need for an
- 6 adequate, economical, and reliable supply of electric power.
- 7 2. In balancing the need for the Project with its effect on the environment and ecology of the
- 8 state, the conditions placed on CEC 222-B effectively minimize its impact on the
- 9 environment and ecology of the state.
- 10 3. The conditions placed on CEC 222-B resolve matters concerning the need for the Project
- 11 and its impact on the environment and ecology of the state raised during the course of
- 12 proceedings and, as such, serve as the findings on the matters raised.
- 13 4. In light of these conditions, the balancing in the broad public interest results in favor of
- 14 granting CEC 222-B.

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1 CEC 222-B ISSUED BY THE SITING COMMITTEE IS INCORPORATED

2 HEREIN AND IS APPROVED BY ORDER OF THE

3 ARIZONA CORPORATION COMMISSION

4 *James M. O'Connor*  
CHAIRMAN O'CONNOR

*Lea Marquez Peterson*  
COMMISSIONER MARQUEZ PETERSON

6  
7 **EXCUSED**  
COMMISSIONER TOVAR

*Ken Thompson*  
COMMISSIONER THOMPSON

*W. J. Myers*  
COMMISSIONER MYERS



9 IN WITNESS WHEREOF, I, DOUGLAS R. CLARK,  
10 Executive Director of the Arizona Corporation Commission,  
11 have hereunto, set my hand and caused the official seal of this  
12 Commission to be affixed at the Capitol, in the City of Phoenix,  
13 this 12<sup>th</sup> day of December, 2023.

*Douglas R. Clark*  
DOUGLAS R. CLARK  
Executive Director

16  
17 DISSENT: \_\_\_\_\_

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19 DISSENT: \_\_\_\_\_



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**BEFORE THE ARIZONA POWER PLANT  
AND TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION  
OF AURORA SOLAR LLC IN  
CONFORMANCE WITH THE REQUIRE-  
MENTS OF ARIZONA REVISED  
STATUTES §§ 40-360, ET SEQ., FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING THE  
OBED MEADOW 230-KV GENERATION  
TIE-LINE PROJECT, WHICH INCLUDES  
THE CONSTRUCTION OF A  
SUBSTATION AND GENERATION TIE-  
LINE ORIGINATING APPROXIMATELY  
2.4 MILES SOUTHWEST OF THE APS  
CHOLLA SUBSTATION ON PRIVATE  
LAND UNDER THE JURISDICTION OF  
NAVAJO COUNTY, ARIZONA, AND  
TERMINATING IN THE APS CHOLLA  
SUBSTATION IN NAVAJO COUNTY,  
ARIZONA.

Docket No. L-21254A-23-0184-00222

CASE NO. 222

CEC 222-B

**CERTIFICATE OF  
ENVIRONMENTAL  
COMPATIBILITY**

RECEIVED  
2023 OCT - 3 A 9 43  
AZ CORP COMMISSION  
DOCKET CONTROL

14 **INTRODUCTION**

15 Pursuant to notice given as provided by law, the Arizona Power Plant and  
16 Transmission Line Siting Committee (“Committee”) held public hearings on August 7, 8,  
17 and 9, 2023, in Coconino County, Arizona, in conformance with the requirements of the  
18 Arizona Revised Statutes (“A.R.S.”) § 40-360 *et seq.* for the purpose of receiving  
19 evidence and deliberating on the June 23, 2023, Application of Aurora Solar LLC  
20 (“Applicant”) for Certificates of Environmental Compatibility (“Certificates”) in the  
21 above-captioned case.

22 The following members and designees of members of the Committee were present  
23 at one or more of the hearing days for the evidentiary presentations, public comment,  
24 and/or for the deliberations:

25 Adam Stafford Chairman, Designee for Arizona Attorney General

26 Kris Mayes

27 Leonard Drago Designee for Director, Arizona Department of  
28 Environmental Quality

1

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David French                      Designee for Director, Arizona Department of  
Water Resources

3

4

Gabby Saucedo Mercer      Designee of the Chairman, Arizona Corporation  
Commission (“Commission”)

5

6

Scott Somers                      Appointed Member, representing cities and towns

7

Margaret Toby Little      Appointed Member, representing the general public

8

David Kryder                      Appointed Member, representing agricultural interests

9

Roman Fontes                      Appointed Member, representing Counties

10

Dave Richins                      Appointed Member, representing General Public

11

Colonel Jon H. Gold              Appointed Member, representing General Public

12

13

The Applicant was represented by Jeffrey W. Crockett of Crockett Law Group  
PLLC. No parties requested intervention pursuant to A.R.S. § 40-360.05.

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#### **A. PROJECT DESCRIPTION**

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The Project will consist of a 230kV alternating current generation intertie  
transmission line (“Gen-Tie”) and associated substation facilities (“Project Substation”)  
connecting Applicant’s planned 200-megawatt (“MW”) solar photovoltaic power plant  
(that may be paired with a 200-MW battery storage system) to the Arizona Public Service  
Company (“APS”) Cholla Substation located at the Cholla Power Plant. The Project will  
be located entirely within unincorporated Navajo County, Arizona. The overall length of

1 the Gen-Tie will be approximately 2.8 miles, depending upon the final alignment. Two  
2 Certificates are being requested by the Applicant to allow for the future transfer of  
3 ownership to APS of that portion of the Gen-Tie which will be constructed on land owned  
4 by APS within the Cholla Substation. This Certificate, identified as CEC 222-B, is for the  
5 portion of the Gen-Tie that originates at the Cholla Substation fence or APS property line  
6 and runs northeast a distance of approximately 0.25 miles to the point of interconnection  
7 at the Cholla Substation.

8 Ownership of the Gen-Tie covered by this Certificate will be transferred to APS  
9 upon completion of construction, and the Gen-Tie will be located entirely on land owned  
10 by APS within the Cholla Substation. Applicant is requesting a corridor of approximately  
11 147-acres as shown on **Exhibit A** because the final location of the Gen-Tie within the  
12 APS property has not been finalized. The right-of-way width for the Gen-Tie will be 150  
13 feet.

#### 14 CONDITIONS

15 This Certificate is granted upon the following conditions:

16 1. This authorization to construct the Project shall expire ten (10) years from  
17 the date this Certificate is approved by the Arizona Corporation Commission, with or  
18 without modification. Construction of the Project shall be complete, such that the Project  
19 is in service within this ten-year timeframe. However, prior to the expiration of the time  
20 period, the Applicant may request that the Commission extend the time limitation.

21 2. In the event that the Project requires an extension of the term(s) of this  
22 Certificate prior to completion of construction, the Applicant shall file such time  
23 extension request at least one hundred and eighty (180) days prior to the expiration of the  
24 Certificate. The Applicant shall use reasonable means to promptly notify the Board of  
25 Supervisors of Navajo County and all landowners and residents within a five (5) mile  
26 radius of the centerline of the Project, all persons who made public comment at this  
27 proceeding who provided a mailing or email address, and all parties to this proceeding.  
28

1 The notification provided will include the request and the date, time, and place of the  
2 hearing or open meetings during which the Commission will consider the request for  
3 extension. Notification shall be no more than three (3) business days after the Applicant is  
4 made aware of the hearing date or the open meeting date.

5 3. During the development, construction, operation, maintenance and  
6 reclamation of the Project, the Applicant shall comply with all existing applicable air and  
7 water pollution control standards and regulations, and with all existing applicable statutes,  
8 ordinances, master plans and regulations of any governmental entity having jurisdiction,  
9 including, but not limited to, the United States of America, the State of Arizona, Navajo  
10 County, and their agencies and subdivisions, including but not limited to the following:

- 11 a. All applicable land use regulations;
- 12 b. All applicable zoning stipulations and conditions, including but not  
13 limited to landscaping and dust control requirements;
- 14 c. All applicable water use, discharge and/or disposal requirements of  
15 the Arizona Department of Water Resources and the Arizona  
16 Department of Environmental Quality;
- 17 d. All applicable noise control standards; and
- 18 e. All applicable regulations governing storage and handling of  
19 hazardous chemicals and petroleum products.

20 4. The Applicant shall obtain all approvals and permits necessary to construct,  
21 operate and maintain the Project required by any governmental entity having jurisdiction  
22 including, but not limited to, the United States of America, the State of Arizona, Navajo  
23 County, and their agencies and subdivisions.

24 5. The Applicant shall comply with the Arizona Game and Fish Department  
25 ("AGFD") guidelines for handling protected animal species, should any be encountered  
26 during construction and operation of the Project, and shall consult with AGFD or U.S.  
27 Fish and Wildlife Service, as appropriate, on other issues concerning wildlife.  
28



1           6.     The Applicant shall design the Project's interconnection facilities to  
2 incorporate reasonable measures to minimize electrocution of and impacts to avian  
3 species in accordance with the Applicant's avian protection program. Such measures will  
4 be accomplished through incorporation of Avian Power Line Interaction Committee  
5 guidelines set forth in the current versions of *Suggested Practices for Avian Protection on*  
6 *Power Lines* and *Reducing Avian Collisions with Power Lines* manuals.

7           7.     The Applicant shall consult the State Historic Preservation Office ("SHPO")  
8 with respect to cultural resources. The Applicant will complete a Class III cultural  
9 inventory of the portions of the Project Area that have not been previously adequately  
10 surveyed to identify and evaluate the cultural resources that may be present. If any  
11 archaeological, paleontological, or historical sites or a significant cultural object is  
12 discovered on state, county or municipal land during the construction or operation of the  
13 Project, the Applicant or its representative in charge shall promptly report the discovery to  
14 the Director of the Arizona State Museum ("ASM"), and in consultation with the Director,  
15 shall immediately take all reasonable steps to secure and maintain the preservation of the  
16 discovery as required by A.R.S. § 41-844.

17           8.     The Applicant shall comply with the notice and salvage requirements of the  
18 Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible,  
19 minimize the destruction of native plants during the construction and operation of the  
20 Project.

21           9.     The Applicant shall make every reasonable effort to promptly investigate,  
22 identify and correct, on a case-specific basis, all complaints of interference with radio or  
23 television signals from operation of the Project addressed in this Certificate and where  
24 such interference is caused by the Project take reasonable measures to mitigate such  
25 interference. The Applicant shall maintain written records for a period of five (5) years of  
26 all complaints of radio or television interference attributable to operations, together with  
27 the corrective action taken in response to each complaint. All complaints shall be recorded  
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1 to include notation on the corrective action taken. Complaints not leading to a specific  
2 action or for which there was no resolution shall be noted and explained. Upon request,  
3 the written records shall be provided to the Staff of the Commission. The Applicant shall  
4 respond to complaints and implement appropriate mitigation measures. In addition, the  
5 Project shall be evaluated on a regular basis so that damaged insulators or other line  
6 materials that could cause interference are repaired or replaced in a timely manner.

7 10. If human remains and/or funerary objects are encountered during the course  
8 of any ground-disturbing activities related to the construction or maintenance of the  
9 Project, the Applicant shall cease work on the affected area of the Project and notify the  
10 Director of the ASM as required by A.R.S. § 41-865 for private land, or as required by  
11 A.R.S. § 41-844 for state, county, or municipal lands.

12 11. Within one hundred twenty (120) days of the Commission's decision  
13 approving this Certificate, the Applicant shall post signs in or near public rights-of-way,  
14 to the extent authorized by law, reasonably adjacent to the Project giving notice of the  
15 Project. Such signage shall be no smaller than a roadway sign. The signs shall advise:

- 16 a. Future site of the Project;
- 17 b. A phone number and website for public information regarding the  
18 Project; and
- 19 c. Refer the Public to the Docket.

20 Such signs shall be inspected at least once annually and, if necessary, be repaired  
21 or replaced, and removed at the completion of construction.

22 The Applicant shall make every reasonable effort to communicate the decision  
23 either approving or disapproving the Certificate in digital media.

24 12. At least ninety (90) days before construction commences on the Project, the  
25 Applicant shall provide the Board of Supervisors for Navajo County and known builders  
26 and developers who are building upon or developing land within one (1) mile of the of the  
27 centerline of the Project with a written description, including the approximate height and  
28

1 width measurements of all structure types, of the Project. The written description shall  
2 identify the location of the Project and contain a pictorial depiction of the facilities being  
3 constructed. The Applicant shall also encourage the developers and builders to include  
4 this information in their disclosure statements. Upon approval of this Certificate by the  
5 Commission, the Applicant may commence construction of the Project.

6 13. The Applicant shall use non-specular conductor and non-reflective surfaces  
7 for the transmission line structures on the Project.

8 14. The Applicant shall be responsible for arranging that all field personnel  
9 involved in the Project receive training as to proper ingress, egress, and on-site working  
10 protocol for environmentally sensitive areas and activities. Contractors employing such  
11 field personnel shall maintain records documenting that the personnel have received such  
12 training.

13 15. The Applicant shall follow the most current Western Electricity  
14 Coordinating Council ("WECC") and North American Electric Reliability Corporation  
15 ("NERC") planning standards, as approved by the Federal Energy Regulatory  
16 Commission ("FERC"), National Electrical Safety Code ("NESC") standards, and Federal  
17 Aviation Administration ("FAA") regulations.

18 16. The Applicant shall participate in good faith in state and regional  
19 transmission study forums to coordinate transmission expansion plans related to the  
20 Project and to resolve transmission constraints in a timely manner.

21 17. The Applicant shall provide Commission Staff with a copy of the System  
22 Impact Study ("SIS") for the Project within fifteen (15) days of Applicant's receipt of the  
23 SIS.

24 18. When Project facilities are located parallel to and within one hundred (100)  
25 feet of any existing natural gas or hazardous pipeline, the Applicant shall:

- 26 a. Ensure grounding and cathodic protection studies are performed to  
27 show that the Project's location parallel to and within one hundred  
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1 (100) feet of such pipeline results in no material adverse impacts to  
2 the pipeline or to public safety when both the pipeline and the Project  
3 are in operation. The Applicant shall take appropriate steps to ensure  
4 that any material adverse impacts are mitigated. The Applicant shall  
5 provide to Staff of the Commission, and file with Docket Control, a  
6 copy of the studies performed and additional mitigation, if any, that  
7 was implemented as part of its annual compliance-certification letter;  
8 and

- 9 b. Ensure that studies are performed simulating an outage of the Project  
10 that may be caused by the collocation of the Project parallel to and  
11 within one hundred (100) feet of the existing natural gas or hazardous  
12 liquid pipeline. The studies should either: (a) show that such  
13 simulated outage does not result in customer outages; or (b) include  
14 operating plans to minimize any resulting customer outages. The  
15 Applicant shall provide a copy of the study results to Staff of the  
16 Commission and file them with Docket Control as part of the  
17 Applicant's annual compliance certification letter.

18 19. The designation of the corridor in this Certificate, as shown in Exhibit A,  
19 does not authorize a right-of-way greater than 150 feet wide for the transmission line nor  
20 does it grant the applicant exclusive rights within the corridor outside of the final  
21 designated transmission right-of-way.

22 20. The Applicant shall submit a compliance certification letter annually,  
23 identifying progress made with respect to each condition contained in this Certificate,  
24 including which conditions have been met. The letter shall be submitted to Commission's  
25 Docket Control commencing on December 1, 2024. Attached to each certification letter  
26 shall be documentation explaining how compliance with each condition was achieved.  
27 Copies of each letter, along with the corresponding documentation, shall be submitted to  
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1 the Arizona Attorney General's Office. With respect to the Project, the requirement for the  
2 compliance letter shall expire on the date the Project is placed into operation. Notification  
3 of such filing with Docket Control shall be made to the Board of Supervisors for Navajo  
4 County, all parties to this Docket, and all parties who made a limited appearance in this  
5 Docket.

6 21. The Applicant shall provide a copy of this Certificate to the Board of  
7 Supervisors for Navajo County.

8 22. Any transfer or assignment of this Certificate shall require the assignee or  
9 successor to assume, in writing, all responsibilities of the Applicant listed in this  
10 Certificate and its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of  
11 the Arizona Administrative Code.

12 23. In the event the Applicant, its assignee, or successor, seeks to modify the  
13 Certificate's terms at the Commission, it shall provide copies of such request to the Board  
14 of Supervisors for Navajo County, all parties to this Docket, and all parties who made a  
15 limited appearance in this Docket.

16 24. The Certificate Conditions shall be binding on the Applicant, its successors,  
17 assignee(s) and transferees, and any affiliates, agents, or lessees of the Applicant who  
18 have a contractual relationship with the Applicant concerning the construction, operation,  
19 maintenance or reclamation of the Project. The Applicant shall provide in any  
20 agreement(s) or lease(s) pertaining to the Project that the contracting parties and/or  
21 lessee(s) shall be responsible for compliance with the Conditions set forth herein, and the  
22 Applicant's responsibilities with respect to compliance with such Conditions shall not  
23 cease or be abated by reason of the fact that the Applicant is not in control of or  
24 responsible for operation and maintenance of the Project facilities.

25 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

26 This Certificate incorporates the following Findings of Fact and Conclusions of  
27 Law:

28





1 CERTIFICATE OF MAILING

2 Pursuant to A.A.C. R14-3-204, the **ORIGINAL** of the foregoing and 25 copies were filed  
3 this 3<sup>rd</sup> day of October, 2023 with:

4 Utilities Division – Docket Control  
5 Arizona Corporation Commission  
6 1200 West Washington Street  
7 Phoenix, Arizona 85007

8 COPIES of the above emailed/mailed this 3<sup>rd</sup> day of October, 2023:

9 Robin Mitchell, General Counsel  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007  
13 [rmitchell@azcc.gov](mailto:rmitchell@azcc.gov)  
14 Counsel for Legal Division Staff

15 Ranelle Paladino  
16 Briton Baxter  
17 Utilities Division Directors  
18 Arizona Corporation Commission  
19 1200 West Washington Street  
20 Phoenix, Arizona 85007

21 Jeffrey W. Crockett, Esq.  
22 Crockett Law Group PLLC  
23 2198 E. Camelback Road, Suite 305  
24 Phoenix, Arizona 85016  
25 [jeff@jeffcrockettlaw.com](mailto:jeff@jeffcrockettlaw.com)  
26 Attorney for Aurora Solar LLC

27 Lisa L. Glennie  
28 Glennie Reporting Services, LLC  
1555 East Oranewood  
Phoenix, Arizona 85020  
[admin@glennie-reporting.com](mailto:admin@glennie-reporting.com)  
Court Reporter

By 

# EXHIBIT A

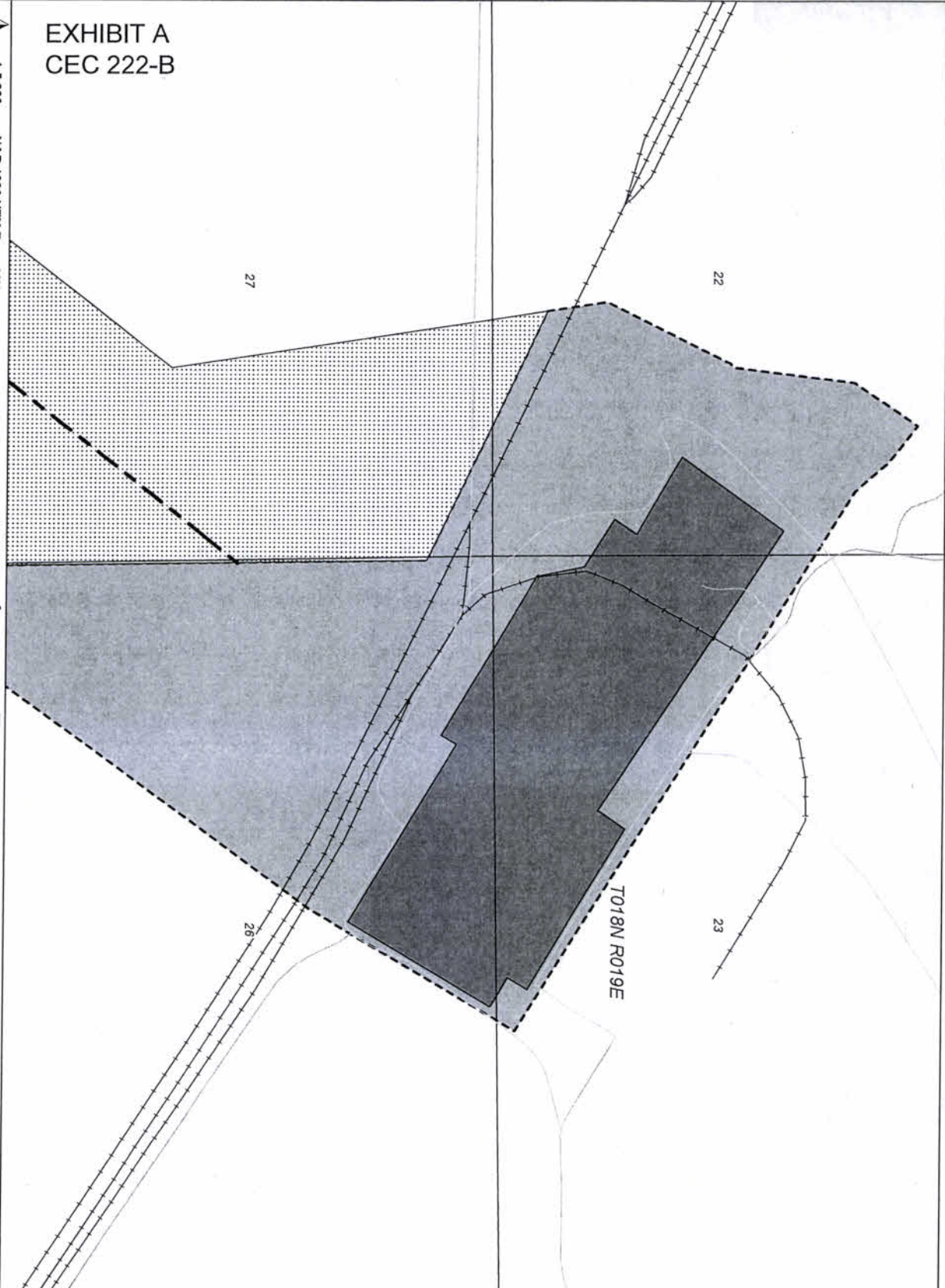
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# EXHIBIT A CEC 222-B

1:5,000 NAD 1983 UTM Zone 12N



Source: ESRI, BTRS, US CENSUS, BLM PLSS



Aurora Solar LLC  
Obed Meadow  
Generation Tie Line Project  
**Exhibit A**  
Substation Interconnection  
CEC 222-B  
Decision No. 79138

Navajo County, AZ

- Project Features**
- Gen-Tie Line
  - Cholla Substation Footprint
  - Requested Gen-Tie Corridor (APS)
  - Requested Gen-Tie Corridor (1,000ft)
- Transportation**
- Local Road
  - Railroad
- Boundaries**
- PLSS Section



NOT FOR CONSTRUCTION

Reference Map

