

1 BEFORE THE ARIZONA POWER PLANT LS-532
2 AND TRANSMISSION LINE SITING COMMITTEE
3 IN THE MATTER OF THE APPLICATION) DOCKET NO.
4 OF SALT RIVER PROJECT) L-00000B-26-0363-00267
5 AGRICULTURAL IMPROVEMENT AND)
6 POWER DISTRICT, IN CONFORMANCE) CASE NO. 267
7 WITH THE REQUIREMENTS OF ARIZONA)
8 REVISED STATUTES § 40-360, ET)
9 SEQ., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
FOR APPROXIMATELY FOUR AND -)
ONE-HALF MILES OF TWO 230 KV)
DOUBLE-CIRCUIT TRANSMISSION)
LINES LOCATED IN PINAL COUNTY,)
ARIZONA.)
10 IN THE MATTER OF THE APPLICATION) DOCKET NO.
11 OF SALT RIVER PROJECT) L-00000B-26-0375-00268
12 AGRICULTURAL IMPROVEMENT AND)
13 POWER DISTRICT, IN CONFORMANCE) CASE NO. 268
14 WITH THE REQUIREMENTS OF ARIZONA)
15 REVISED STATUTES § 40-360, ET)
SEQ., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING THE MARIGOLD THERMAL)
PLANT PROJECT, LOCATED IN PINAL)
COUNTY, ARIZONA.)
16) EVIDENTIARY HEARING

17 At: Casa Grande, Arizona

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Power Plant and Transmission Line Siting
4 Committee at the FRANCISCO GRANDE HOTEL, 12684 West Gila
5 Bend Highway, Casa Grande, Arizona, commencing at
6 9:06 a.m. on the 25th day of September, 2026.

7

8 BEFORE: ADAM STAFFORD, Committee Chair

9 LEONARD DRAGO, Department of Environmental Quality
10 LANEY MEEKER, Department of Water Resources
(Remote Appearance)
11 NICOLE HILL, Energy Office, Department of Commerce
(Remote Appearance)
12 MICHAEL COMSTOCK, Arizona Corporation Commission
DOUGLAS FANT, General Public
13 MARGARET "TOBY" LITTLE, PE, General Public
ROMAN FONTES, Counties (Remote Appearance)
14 GABBY SAUCEDO MERCER, General Public

15

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SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND
POWER DISTRICT

21

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23

24

25

1 CHAIRMAN STAFFORD: Let's go back on the
2 record.

3 If members could direct their attention to
4 Chair Exhibit 3, which is the draft certificate for 268,
5 the plant that we'll be looking at today.

6 Yeah. Exhibit 3.

7 And then Chairman's 4 is the Word document that
8 we'll be modifying as we go.

9 Can I get a motion to adopt the introduction?

10 MEMBER MERCER: So moved.

11 MEMBER LITTLE: Second.

12 CHAIRMAN STAFFORD: Further discussion?

13 Of course, we'll need to fill in the vote
14 count.

15 And for this one we could add the number of
16 public commenters and the scope of their comments. We
17 talked about that one for yesterday, but I don't think
18 anybody mentioned the actual transmission line. It was
19 all about the plant.

20 Further discussion?

21 (No response.)

22 CHAIRMAN STAFFORD: All in favor say aye.

23 (A chorus of ayes.)

24 CHAIRMAN STAFFORD: Opposed?

25 Hearing none, the introduction is adopted.

1 On to the project description.

2 MEMBER HILL: Mr. Chairman, I move approval of
3 the project description.

4 MEMBER MERCER: Second.

5 CHAIRMAN STAFFORD: Further discussion?

6 MEMBER HILL: Yes.

7 One of the very first questions I asked in this
8 hearing is will all 60 acres be industrialized, and the
9 answer was no. I think the project scope is actually
10 closer to 30 acres.

11 And I felt a great amount of relief for the
12 community around the actual size of the facility. I
13 know we advertised the project as being located on
14 approximately 60 acres, but could we say something along
15 the lines of that the facilities will -- you know,
16 associated with -- the plant and facilities will be
17 30 acres? Because that's a much smaller footprint.
18 That's what's probably going to be fenced.

19 You know, so I was just trying to -- I don't
20 know, Mr. Chair, do you have any suggestions for how to
21 kind of manage the size of the plant versus the whole
22 property?

23 CHAIRMAN STAFFORD: What is the -- because,
24 like, if you look at the map on the placemat, the blue
25 area is the parcel that -- where the plant is going to

1 go that the Applicant acquired.

2 And then the green hatched area, is that the
3 60 acres or does the 60 acres include where the
4 substation is going to go as well?

5 MS. GILBERT: Ms. Laurence, can you answer
6 that.

7 A. BY MS. LAURENCE: Yes, thank you.

8 The green hatched area is the 60 acres. The
9 substation is on a separate area and is not included in
10 that calculation.

11 CHAIRMAN STAFFORD: Okay. Member Fontes.

12 MEMBER FONTES: Is this for the energy center
13 or is this just for the natural gas power plant and
14 balance of plant?

15 CHAIRMAN STAFFORD: This is just the power
16 plant.

17 MEMBER FONTES: Okay. Did we have that site
18 layout plan that we can use as a reference and does that
19 correspond to the size here?

20 MEMBER HILL: Yeah. We looked at the site
21 layout plan on the aerial photo, and we had the
22 conversation about they're not going to industrialize
23 all 60 acres, you know, just to give some relief to the
24 community about how big this thing was going to be.

25 They were very clear that it's probably half of

1 that, roughly 30 acres.

2 MEMBER FONTES: Is that what the site
3 development plan is? 30 acres? The layout?

4 MEMBER HILL: The layout with ancillary
5 facilities and others was roughly 30 acres.

6 They haven't figured out exactly where it is,
7 so I'm fine with the 60-foot -- 60-acre footprint, but I
8 want to be able to say but only 30 acres of this is
9 really going to be used for the plant itself and some
10 industrial purpose; right?

11 MEMBER FONTES: I think that's smart. I second
12 that, Member Hill.

13 I was just concerned that we wanted -- if the
14 CEC intention was to do the whole energy center, then it
15 would be larger. But if it's just the plant, then I
16 think if the Applicant is amenable to that, finding a
17 way to assuage any concerns from the public, that's
18 smart business. Thank you.

19 MEMBER LITTLE: Mr. Chairman.

20 CHAIRMAN STAFFORD: Yes, Member Little.

21 MEMBER LITTLE: I agree completely. And I'm
22 thinking that perhaps we could say something like the
23 project will be -- occupy 30 acres, to be located within
24 the 60-acre -- in a 60-acre plot, or something like
25 that.

1 MEMBER HILL: Project site.

2 MEMBER LITTLE: So that we're specifying both.
3 That the plant itself will be 30 acres, and it will be
4 somewhere in that 60-acre plot.

5 CHAIRMAN STAFFORD: Because if you look at the
6 last sentence talking about Exhibit A, it depicts the
7 proposed project facilities and the project site. Well,
8 the project site is the 60 acres, but the project
9 facilities -- well, what is the footprint that it was
10 going to occupy?

11 MR. DERSTINE: Let me ask Ms. Laurence or
12 Mr. McClellan. I think there was some testimony, and I
13 think maybe it came from Ms. Justus.

14 But in terms of the anticipated size of the
15 acreage in which the actual thermal plant and balance of
16 plant facilities will occupy, it's not the full
17 60 acres, and I don't know what that number is, but you
18 can tell us.

19 A. BY MS. LAURENCE: That's true. It's not the
20 full 60 acres, but we are not entirely sure what the
21 footprint is or would be. It looks to be approximately
22 30 acres, but we haven't measured a final general
23 arrangement of the total facility.

24 MEMBER HILL: What if in that last sentence we
25 said "the project will occupy approximately 30 acres and

1 will be located on -- or the 60 acres of SRP land as
2 depicted on this map," or something like that.

3 So the project occupies 30 acres of a 60-acre
4 site. Or "approximately" is a fine word.

5 CHAIRMAN STAFFORD: Like how we have done for
6 switchyards where we have a big hatched area where it
7 could end up anywhere in there, but it's only going to
8 be 20 acres of that hatched 80-acre section on the
9 Exhibit A.

10 MEMBER HILL: Yes. That's right.

11 A. BY MR. McCLELLAN: Chairman, I think we can
12 likely live with that. I would want to make sure that
13 we're not limited to that 30 acres.

14 One thing that we're not showing here is any
15 stormwater retention ponds. So we would -- we might
16 need some of that area to put in some of those
17 facilities, as needed.

18 So I think as long as that's not reflected as a
19 limitation to developing those areas, we could reflect
20 that here.

21 CHAIRMAN STAFFORD: Right. Because you're
22 going to have the evaporation ponds, but you'll have to
23 have some kind of stormwater retention basin?

24 A. BY MR. McCLELLAN: Yes.

25 CHAIRMAN STAFFORD: Okay.

1 MEMBER FONTES: That's why I asked about the
2 site development plan, because typically that includes
3 all of the balance of plant, to include those basins
4 where the wet and dry utility interconnect is.

5 So maybe look at where that gas interconnect
6 is, as well, because that's typically out in the
7 switchyard, too, that you want to step up to.

8 MEMBER HILL: So we're not including the --

9 CHAIRMAN STAFFORD: Well, I guess is the water
10 retention basin, that's not considered part of the plant
11 facilities, is it?

12 MEMBER FONTES: It's the site, typically. It's
13 the facility. When they go -- I know they self-insure.
14 But if they were to get a project financed or insured,
15 they would look at that.

16 CHAIRMAN STAFFORD: Right.

17 MEMBER FONTES: Because I think a regular county
18 permit they would look at it for the -- I think it's
19 called the site development plan, typically, in other
20 counties that an IPP developer would look at.

21 CHAIRMAN STAFFORD: Right. Because we're
22 saying the project site is the 60 acres, but the project
23 facilities will be located on some subset of that
24 60 acres. And it seems like the project facilities, the
25 plant, the retention ponds, the gas meters, and the

1 substations that will feed the 230kV lines out into the
2 Marigold Substation, all that will be located on --
3 those are the project facilities that will be located on
4 some subset of the 60 acres.

5 But you wouldn't include the water retention
6 basins as part of the project facilities. They're
7 relative -- they're for the site, for the whole site,
8 not just the power plant itself; right?

9 MEMBER FONTES: Actually, it's the opposite in
10 my understanding, Mr. Chairman, in the plants that I've
11 developed and financed. That water retention site is
12 part of the plant.

13 MEMBER HILL: So I do think the water
14 retention -- I agree with Fontes that any ancillary
15 facilities and structures that contribute to plant's
16 operation and permitting of that plant to operate is
17 part of the plant.

18 What I'm looking at is Exhibit G in the
19 application where we have the conceptual typical
20 facilities. And they've produced a couple of maps where
21 they don't know exactly where on that 60 acres it's
22 going to go, but it included the actual retention areas
23 and things like that. I mean --

24 MEMBER FONTES: I think we're saying the same
25 thing. That conceptual design that you laid down on

1 your site layout, that's the size that I would look at.

2 MEMBER HILL: Yes.

3 MEMBER FONTES: And it should include, as I
4 will say, balance of plant, which is the retention
5 ponds, the switchyard, any kind of hazmat areas,
6 laydown, parking lots, and wet and dry utility connects,
7 not just the powerhouses.

8 MEMBER LITTLE: Mr. Chairman.

9 CHAIRMAN STAFFORD: Member Drago, and then
10 Member Little.

11 MEMBER DRAGO: Yeah. To Member Fontes' point,
12 my experience on a 700-acre semiconductor site is that
13 the preliminary development plan even had conditions of
14 voluntary setback of 1,000 feet from operations.

15 And so I agree with Member Fontes that it's
16 likely going to have the same thing for any water
17 management, stormwater runoff and the like. Dry wells,
18 you name it.

19 I would like to take us back to the beginning
20 and ask the question, why are we forcing the hand of a
21 company owning 60 acres and limiting them to 30?

22 Someone explain that, please.

23 MEMBER HILL: This was really my -- one of my
24 first questions is are they industrializing all
25 60 acres? Because the community -- the perception, the

1 perception I had coming in was, like, there was this big
2 60-acre facility. And 30 acres was actually probably
3 more realistic in what would be fenced and what would be
4 operational. So I was just trying to manage the
5 perception and understanding of the scale of the
6 project.

7 MEMBER LITTLE: Mr. Chairman.

8 CHAIRMAN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: What about changing the last
10 sentence to read "A map and depiction of the proposed
11 project facilities which will occupy approximately..."
12 what do we need? Five more acres perhaps for the water
13 retention? Approximately 30 or 35, whichever you feel
14 more comfortable with, "within the project site as shown
15 on Exhibit A."

16 It looks to me like the project itself has been
17 defined as the thermal plant.

18 CHAIRMAN STAFFORD: Yes.

19 MEMBER LITTLE: The project site --

20 CHAIRMAN STAFFORD: Is the 60 acres.

21 MEMBER LITTLE: -- is the 60 acres. But the
22 proposed project facilities will only occupy a piece of
23 that project site.

24 So if we specify -- and I'm comfortable with
25 putting whatever number you feel comfortable with and

1 say approximately 35. We can say approximately 30,
2 recognizing that "approximately" means you can use a
3 little more than 30.

4 But then that says that the map shows the
5 facilities which will be within that 60 acres, that the
6 facilities will occupy half, approximately.

7 CHAIRMAN STAFFORD: Yes, Member Drago.

8 MEMBER DRAGO: I kind of disagree.

9 I think it's up to SRP to understand. First of
10 all, they figured out they needed 60 acres for some
11 reason. We're here to approve a project.

12 Personally, they can spread that project out on
13 60 acres. They've already committed they are going to
14 work with the community to look at ways to abate noise,
15 you know, shielding from viewshed, whatever they need to
16 do, build bigger walls.

17 I mean, I just don't think we need this.
18 That's just my opinion.

19 A. BY MR. McCLELLAN: Chairman.

20 CHAIRMAN STAFFORD: Yes.

21 A. BY MR. McCLELLAN: The way I look at this is
22 that we started out with a 170-acre parcel, and we've
23 already moved that down to approximately 60 acres that
24 we would develop these facilities on.

25 I don't know that we'll use all of that

1 60 acres, but I think just for flexibility to make sure
2 that we have the space that we need, put all the things
3 in there that will make us successful operationally, the
4 60 acres is really where we feel comfortable.

5 CHAIRMAN STAFFORD: Because that has to include
6 all the drainage features, water retention.

7 A. BY MR. McCLELLAN: Yeah. I don't know that
8 we'll use all of that 60 acres, but just to make sure
9 that we have the space to do the things that we need to,
10 I think that's an appropriate amount.

11 MEMBER HILL: Okay. I'll let this go. I think
12 it makes sense economically to reduce your footprint as
13 much as you can. I was just trying to think of what
14 would actually be fenced and how big the facility would
15 actually be.

16 But I'll let it go. Thanks for the
17 conversation.

18 MEMBER LITTLE: Mr. Chairman.

19 CHAIRMAN STAFFORD: Yes, Member Little.

20 MEMBER LITTLE: One thing I would like to
21 clarify for the record, by approving 60 acres, even
22 though you can put three large generators on
23 approximately half of that, we are in no way approving
24 the future installation of three more large
25 generators --

1 CHAIRMAN STAFFORD: Absolutely not.

2 MEMBER LITTLE: -- on the 60-acre site.

3 CHAIRMAN STAFFORD: That would require either
4 another CEC or a modification of this one, would it not?

5 MR. DERSTINE: That's correct.

6 And, yeah, I appreciate and I understand what
7 Member Hill was, you know, looking to accomplish in
8 terms of trying to address concerns from the community
9 over how big is this thing.

10 But I think what really defines and limits how
11 big this thing is, is the three generating units and the
12 675 megawatts capacity. That's what you're authorizing
13 us to build, and then it's the balance of plant and the
14 other facilities that are necessary to support and
15 operate those three generating units. That's all you're
16 approving. That limits and restricts what we can build.
17 That limits and restricts what this project is.

18 And where we put that in that and how that fits
19 into that 60-acre site, I think as Mr. McClellan
20 indicated, has not been finally designed, and so we need
21 that flexibility to place all those facilities within
22 the 60-acre parcel.

23 But this CEC in no way allows SRP to construct
24 anything other than three of the specified units at that
25 megawatt capacity within that 60-acre site. And if we

1 want to build something more, we'll have to come back
2 and see you.

3 MEMBER LITTLE: Thank you. I wanted that on
4 the record.

5 MEMBER MERCER: Mr. Chairman.

6 CHAIRMAN STAFFORD: Yes, Member Mercer.

7 MEMBER MERCER: I tend to agree with Member
8 Drago. The fact of the matter is SRP owns 175 acres. I
9 mean, we cannot tie their hands as to what to do with
10 that land in, you know, for the future. If they decide
11 to sell that land to somebody else that wants to
12 develop, it's out of our jurisdiction. We have no --

13 CHAIRMAN STAFFORD: Plus, they're going to put
14 a highway through there at some point, aren't they?

15 MEMBER MERCER: Yes. Highway 11.

16 CHAIRMAN STAFFORD: Between the plant and the
17 substation, apparently.

18 MEMBER MERCER: So anyway.

19 MEMBER FONTES: Mr. Chairman, I just looked up
20 Coolidge. It's 100 acres. So this seems reasonable at
21 60 acres?

22 CHAIRMAN STAFFORD: All right. I think I have
23 a suggestion for the last sentence of the first
24 paragraph to make -- because I added the project
25 facilities and project site in the final sentence, but I

1 think the prior sentence it would be helpful to say that
2 the project will be located on the approximately
3 60-acre -- or just on the 60-acre project site that SRP
4 owns on a site located at the --

5 Now, how much acreage is that parcel there, the
6 top -- that section where the plant is going to be, the
7 larger part.

8 A. BY MS. LAURENCE: That parcel is about
9 170 acres.

10 CHAIRMAN STAFFORD: 170?

11 A. BY MS. LAURENCE: Yes. Yeah.

12 CHAIRMAN STAFFORD: Yeah. Put that in there
13 and say it's a 60-acre project site located in the
14 170-acre parcel, SRP only, and the section range.

15 MR. DERSTINE: Ms. Laurence, in terms of the
16 larger 170-acre parcel, it looks like there's a 60-acre
17 plant site sits within the four corners of a sectioned
18 parcel, and then there's a parcel below it that SRP also
19 owns where the Marigold Substation will be constructed.

20 Is the 170 the combination of those two
21 sections down to and including the Marigold Substation,
22 or is it just that northern parcel with the section line
23 boundary to the south that is the 170 acres?

24 A. BY MS. LAURENCE: It's just the northern
25 portion. It does not include the substation area, the

1 area north of Barnes.

2 MR. DERSTINE: So I guess if the suggestion is
3 you want us to call out that the 60-acre plant site is
4 within a larger 170-acre parcel and then describe that.

5 CHAIRMAN STAFFORD: I think so. Because if
6 you're looking at the -- I'm assuming the Exhibit A is
7 going to look something similar to this with the
8 placemat.

9 So you have SRP-controlled property. Here is
10 the SRP-controlled property. Here is the project site.
11 I think it would be -- if we're going to call out the
12 acreage of them, we call out the acreage of them. And
13 it reflects that, okay, it's the 60-acre site as part of
14 this bigger SRP-controlled property.

15 Because you don't own the property between that
16 and the section below where the BESS collector
17 substation is. We're looking at this blue area.

18 MR. DERSTINE: We don't own the parcel below
19 the parcel which contains the site for the Marigold
20 Substation.

21 CHAIRMAN STAFFORD: Right, right. There's a
22 gap of other people's property you got to cross to get
23 to the BESS substation.

24 MR. DERSTINE: We can pull together that legal
25 if that's the preference of the committee is to do as

1 you have described, Mr. Chairman, and describe the
2 larger 170-acre parcel and that the 60-acre project site
3 sits within that larger 170-acre parcel, and that that's
4 where the project facilities will be constructed within
5 the 60-acre project site. I think we can do that.

6 CHAIRMAN STAFFORD: Do the members think that's
7 helpful to do it that way?

8 MEMBER HILL: Could we do it with just a tax
9 parcel rather than having to go through a full legal
10 description?

11 CHAIRMAN STAFFORD: Well, we only need -- the
12 60 acres is located in that section, so that should
13 be -- that description should stay after the 60 acres
14 for the project site. And then you could describe the
15 larger blue section that we have on the map that shows
16 SRP-controlled property.

17 But if it's more than just that section and
18 township range -- Member Drago.

19 MEMBER DRAGO: Yeah. I was going to ask a
20 clarifying question. I probably missed it.

21 The remaining 110, is that where the renewable
22 technology will reside?

23 A. BY MS. LAURENCE: No. As shown on the
24 placemat, the BESS is planned to be further south,
25 located closer to the BESS collector substation, and the

1 solar is planned to be further south as well.

2 MEMBER DRAGO: So it won't be contained in the
3 170? Okay.

4 And I realized we don't have jurisdiction, but
5 I just wanted to understand that distinction. Thank
6 you.

7 CHAIRMAN STAFFORD: Yeah. Member Drago, we're
8 talking about -- if you look at the placemat. Did
9 somebody grab your placemat?

10 MEMBER HILL: Member Drago, I might have taken
11 your placemat.

12 MEMBER DRAGO: It's okay.

13 MEMBER HILL: Would you like to look at it?

14 CHAIRMAN STAFFORD: Yeah. You see the green
15 hatched area where it says "Proposed thermal generation
16 site," that's the 60 acres. And then the approximately
17 170 is that entire blue area that's separate. And see
18 there's a gap, no blue, between the Marigold Substation
19 and then the BESS collector substation. They don't own
20 that.

21 So we're saying the total amount of the hatched
22 area is the 60 acres and it's of the two -- and the
23 hatched area is only in the top, which is the Section 5,
24 Township 6 South, Range 4 East.

25 But the 170 acres is more than just that. It's

1 the section -- part of the section below; correct?

2 MS. GILBERT: Ms. Laurence, can you use your
3 laser pointer to just outline 170 and then outline the
4 60. So where is the 170 first?

5 A. BY MS. LAURENCE: The 170 is bounded on the
6 east by the Santa Rosa Wash, and then along the north
7 here where the blue area ends, and then along the west
8 with Stanfield Road, and then the south with Barnes
9 Road.

10 And then the 60 acres that we've been talking
11 about is just the green hatched area.

12 CHAIRMAN STAFFORD: Right. But we should add
13 this blue section below that, include that. Because
14 that's also SRP-controlled land that's contiguous there.
15 And that's what the -- if you look at the map, it
16 doesn't -- it has blue is the SRP-controlled territory.

17 MS. GILBERT: Ms. Laurence, if we were to add
18 in the total acreage south of Barnes Road to the
19 substation, do you know how many acres that would be?

20 A. BY MS. LAURENCE: I believe that's about 160,
21 and I can confirm that.

22 That is correct. So it's the area that I
23 outlined is about 170, and the parcel to the south is
24 about 160.

25 CHAIRMAN STAFFORD: Member Drago.

1 MEMBER DRAGO: Yeah. So just to help cap it
2 off, in my understanding, I've received the answer about
3 whether that remaining 110 contained the renewables, and
4 it won't.

5 But what is that extra land for? Is it just
6 for future development and unknown at this point?

7 A. BY MR. McCLELLAN: We have no future plans for
8 that land at this time.

9 MEMBER DRAGO: All right. Thank you.

10 CHAIRMAN STAFFORD: But in the meantime, it
11 serves as a buffer between the plant and everything
12 else, though; right?

13 A. BY MR. McCLELLAN: That's right. So we'll see
14 in one of the conditions later that we have a buffer, so
15 that would be included in that 110.

16 MS. GILBERT: So, Chairman Stafford, if we
17 could go back to the condition. Are you asking that we
18 change 170 to 330, then?

19 CHAIRMAN STAFFORD: Right. I think it would
20 say "The project would be located on the approximately
21 60-acre project site which is located in Section 5,
22 Township," whatever that is --

23 MR. DERSTINE: If you're looping in the -- I'm
24 sorry.

25 CHAIRMAN STAFFORD: -- "within the," what was

1 it? 330? What was the total acreage come out to again?

2 A. BY MR. McCLELLAN: About 330, yes.

3 CHAIRMAN STAFFORD: -- "the 330 acres of
4 SRP-controlled property."

5 Because we want the legal description, the
6 township, for the actual plant. We don't need to define
7 the rest of it. But it's that blue area, that's what
8 we're looking at.

9 And then it says, you know, the next sentence
10 is, you know, "The map and depiction of the proposed
11 project facilities and project site as shown in
12 Exhibit A."

13 And I guess when we get there, I thought
14 something about the -- like, the backside of the
15 placemat was included in Exhibit A, but it's not,
16 looking at the draft CEC. So I want to, when we get to
17 that, we want to have something like this as part of
18 Exhibit A showing kind of the rough plant layout.

19 MEMBER LITTLE: Mr. Chairman.

20 CHAIRMAN STAFFORD: Yes, Member Little.

21 MEMBER LITTLE: The sentence doesn't quite make
22 sense. "The project will be located on --"

23 CHAIRMAN STAFFORD: "-- the approximately
24 60-acre project site."

25 MEMBER LITTLE: Okay. The project site.

1 CHAIRMAN STAFFORD: And it will be "on" instead
2 of "of."

3 And then when you look at the Exhibit A,
4 project site is defined. And then the blue area, which
5 is SRP-controlled property -- I would say
6 "SRP-controlled property" so it matches exactly what the
7 legend says in the -- because with exhibit A, we're not
8 having the whole rest of the transmission line and all
9 the -- so the Exhibit A will show the blue will be that
10 330-acre site; correct?

11 MS. GILBERT: Correct. And then we'll add this
12 to the Exhibit A as well.

13 CHAIRMAN STAFFORD: Okay.

14 MS. GILBERT: Nothing further from us on this
15 one.

16 CHAIRMAN STAFFORD: Pardon?

17 MS. GILBERT: Oh, I think the Applicant is okay
18 with the language as proposed here.

19 CHAIRMAN STAFFORD: All right. Members, can I
20 get a motion to adopt that change to the project
21 description?

22 MEMBER MERCER: So moved.

23 MEMBER HILL: Second.

24 CHAIRMAN STAFFORD: Further discussion?

25 (No response.)

1 CHAIRMAN STAFFORD: All in favor say aye.

2 (A chorus of ayes.)

3 CHAIRMAN STAFFORD: Opposed?

4 Hearing none, the amendment is adopted.

5 All right. Are we ready to move the project
6 description as amended?

7 MEMBER MERCER: So moved.

8 MEMBER LITTLE: Second.

9 CHAIRMAN STAFFORD: Further discussion?

10 (No response.)

11 CHAIRMAN STAFFORD: All in favor say aye.

12 (A chorus of ayes.)

13 CHAIRMAN STAFFORD: Opposed?

14 Hearing none, the project description is
15 adopted.

16 On to conditions.

17 MEMBER MERCER: Mr. Chairman, I move
18 Condition 1.

19 MEMBER HILL: Second.

20 CHAIRMAN STAFFORD: Further discussion?

21 Everyone is good with the standard 10-year time
22 frame for this one? We don't need to make it five?

23 All right. Condition 1 has been moved and
24 seconded. All in favor say aye.

25 (A chorus of ayes.)

1 CHAIRMAN STAFFORD: Opposed?

2 Hearing none, Condition 1 is adopted.

3 Number 2.

4 MEMBER LITTLE: Mr. Chairman, I move

5 Condition 2.

6 MEMBER MERCER: Second.

7 CHAIRMAN STAFFORD: Further discussion?

8 I removed the centerline because it's a plant
9 and not a transmission line. My thought is, is one-mile
10 radius -- what was the outreach for the plant? I
11 thought it was more than that.

12 MS. GILBERT: Ms. Hallows, can you state that.

13 A. BY MS. HALLOWS: The notification area was
14 2.25 miles from the outside border of all SRP land.

15 CHAIRMAN STAFFORD: Okay. So should we say
16 2.5 miles, then, for the -- if that's the people who
17 were told about this proceeding, they probably want to
18 hear about -- it wouldn't make sense to inform a smaller
19 subset of those people if something is going to change.

20 MS. GILBERT: So to keep it consistent with the
21 notification area, it would be 2.25 miles instead of one
22 mile.

23 Ms. Hallows, is there something else you would
24 like to add?

25 A. BY MS. HALLOWS: Yes. I just wanted to point

1 out that that's measured from the outside boundary of
2 all SRP-owned land, 2.25 miles.

3 CHAIRMAN STAFFORD: So what would that be from
4 the plant, though? Would that be greater? Would it be
5 three miles? Because it says "the project." So that
6 would be limited to the project site; right?

7 A. BY MS. HALLOWS: If you measured 2.25 miles
8 from just the thermal site, it would be more people on
9 the northern site, but you would exclude the people on
10 the southern portion closer to Stanfield proper.

11 CHAIRMAN STAFFORD: Well, it seems like the
12 notification area should include Stanfield proper;
13 right?

14 A. BY MS. HALLOWS: It did because we included all
15 of the 5,000 acres of SRP-owned land, not just the
16 thermal portion, if that makes it more clear.

17 CHAIRMAN STAFFORD: So then we need to cast a
18 much wider radius for the notification for the plant,
19 then. How many miles is it from the plant to
20 Stanfield?

21 MS. GILBERT: Chairman Stafford, we could also
22 change "project" to "SRP-controlled property," because
23 our Exhibit A includes the southern parcels as well, and
24 that would keep it the same notification area that we
25 used for the hearing.

1 CHAIRMAN STAFFORD: Well, but for this
2 certificate the only SRP-controlled property that's in
3 the picture in Exhibit A is that northern chunk that's
4 disconnected. It's not contiguous with the rest of it.
5 So would that still be far enough to reach Stanfield?

6 You know what I'm saying? Because it's apples
7 and oranges because we're --

8 MS. GILBERT: Can you put Exhibit A back up?
9 Can you make it so we can see the entire -- oh,
10 no. Other way.

11 So our Exhibit A does show the blue
12 SRP-controlled property to the south.

13 CHAIRMAN STAFFORD: This is what -- that's
14 Exhibit A for 268?

15 MS. GILBERT: Yes.

16 CHAIRMAN STAFFORD: I thought it was -- because
17 on the other one, we didn't have the gas lines at the
18 top or the thermal site for the transmission line. I
19 thought this one -- here, let me look.

20 MS. GILBERT: The Exhibit A for the
21 transmission CEC doesn't show the thermal plant.

22 CHAIRMAN STAFFORD: Right.

23 MS. GILBERT: But this is the proposed
24 Exhibit A for the thermal plant CEC.

25 CHAIRMAN STAFFORD: Okay. Then if that's the

1 case, then it -- in the prior section, it makes it sound
2 like all that blue is just the 330 acres.

3 MEMBER LITTLE: Could we just be more specific
4 and say 2.25-mile radius to the northeast and west of
5 the project and however many miles it takes to
6 include -- I mean, that is kind of vague, because then
7 it sounds like we get this and then -- I don't know if
8 that's a good description of what actually happened or
9 not.

10 CHAIRMAN STAFFORD: We can just have them --
11 how many miles is it from the border -- the end of the
12 Marigold Substation to Stanfield? I don't see a --

13 A. BY MS. HALLOWS: If you're measuring from the
14 southern portion of the Marigold Substation to the
15 northern portion of Stanfield, it looks like it's about
16 two miles.

17 CHAIRMAN STAFFORD: Two miles. How far is it
18 from the edge of the substation to 84?

19 A. BY MS. HALLOWS: Just under two-and-a-half
20 miles.

21 CHAIRMAN STAFFORD: Okay. I'm fine just saying
22 a two-and-a-half-mile radius from the project. Or no.
23 From the SRP-controlled property, and then only showing
24 in Exhibit A that northern chunk and not showing all the
25 stuff that's southern where the solar is going to be.

1 That way, the only SRP-controlled property on Exhibit A
2 is going to be that 330 acres.

3 MEMBER LITTLE: Does that actually reflect all
4 of the residents and landowners that you contacted,
5 though? If we say two-and-a-half-mile radius, we're
6 also saying that you contacted all the people that are
7 within a two-and-a-half-mile radius to the north, east,
8 and west also.

9 CHAIRMAN STAFFORD: It's a radius, yeah.

10 And then anybody who showed up and made public
11 comment who was further away will get notified because
12 that's what -- they provided a mailing or e-mail or
13 mailing address.

14 And it wouldn't be "project." It would be
15 "SRP-controlled property."

16 A. BY MS. HALLOWS: If I measure from
17 SRP-controlled property in this case is just the
18 northern section. If I do two-and-a-half miles from the
19 outside radius of that, it would not include all of
20 Stanfield. It looks like it would cut right in the
21 middle of it, but it would include all of Santa Rosa
22 Ranchos.

23 MEMBER LITTLE: And who did you actually
24 contact? All of Santa Rosa Ranchos and all of
25 Stanfield?

1 A. BY MS. HALLOWS: Yes.

2 CHAIRMAN STAFFORD: You should make it a
3 three-mile radius of the SRP-controlled property.

4 MEMBER HILL: Mr. Chair.

5 CHAIRMAN STAFFORD: Yes, Member Hill.

6 MEMBER HILL: I think we can put a number here
7 that's a minimum, and maybe it's two and a half, but my
8 guess is that SRP is going to use the same mailing list
9 that they've always used for this whole project.
10 Because they're thinking about the -- our
11 jurisdiction is this smaller facility; right? It's not
12 the whole energy center, so that's what we're struggling
13 with.

14 CHAIRMAN STAFFORD: Yeah. This is just the
15 thermal plant.

16 MEMBER HILL: Yeah. Like, I think you could
17 say two and a half, or whatever it was to get to 84, at
18 a minimum, and they'll probably continue to use the same
19 mailing list that they've been using for the last couple
20 of years around this.

21 MS. GILBERT: Chairman Stafford, would that be
22 adequate to say using the same mailing notification list
23 that's in the record.

24 CHAIRMAN STAFFORD: Well, you have -- I think
25 you just say the SRP-controlled property. I'm thinking

1 of in terms of the map. Then you have -- you're going
2 to use the mailing list. That's not something that we
3 need to tell you to do that.

4 But we are going to tell you that if they
5 showed up and made public comment, they're on your
6 mailing list if they weren't before, so I think that
7 should cover it.

8 MEMBER HILL: Yeah. So you could use
9 two-and-a-half miles and it would be good.

10 MS. GILBERT: And we'll propose -- just to make
11 sure I captured it -- a new Exhibit A that is only the
12 thermal plant parcel.

13 CHAIRMAN STAFFORD: Right. I think wasn't that
14 was what was, like, in the notice of hearing? I thought
15 it was a smaller -- it didn't show the whole southern.

16 MS. GILBERT: I can't remember anymore, but I
17 bet your memory is correct, and we'll get that and zoom
18 in.

19 CHAIRMAN STAFFORD: Right. Because, like,
20 they're related, but I think -- like, the other one we
21 don't have the thermal plant as part of the lines just
22 because it's, you know, Marigold Substation and then to
23 the 500kV line. So they're connected, but they're not
24 the same thing, so --

25 All right. So two-and-a-half miles of the

1 SRP-controlled property. Can I get a motion to make
2 that amendment to Condition 2?

3 MEMBER FANT: Mr. Chair, I move that we amend
4 the two-mile radius in Condition 2 to two-and-one-half
5 miles.

6 CHAIRMAN STAFFORD: We're going from one mile
7 to two-and-a-half miles.

8 MEMBER FANT: I'm sorry. From one mile to
9 two-and-a-half miles.

10 CHAIRMAN STAFFORD: And it's from the project
11 to the SRP-controlled property.

12 MEMBER FANT: Which is fine.

13 CHAIRMAN STAFFORD: All right.

14 MEMBER MERCER: Second.

15 CHAIRMAN STAFFORD: Further discussion?

16 (No response.)

17 CHAIRMAN STAFFORD: All in favor say aye.

18 (A chorus of ayes.)

19 CHAIRMAN STAFFORD: Opposed?

20 Hearing none, the amendment is adopted.

21 Can I get a motion to adopt Condition 2 as
22 amended?

23 MEMBER MERCER: So moved.

24 MEMBER HILL: Second.

25 CHAIRMAN STAFFORD: Further discussion?

1 (No response.)

2 CHAIRMAN STAFFORD: All in favor say aye.

3 (A chorus of ayes.)

4 CHAIRMAN STAFFORD: Opposed?

5 Hearing none, Condition 2 as amended is

6 adopted.

7 Number 3.

8 MEMBER HILL: Mr. Chair, I move approval of

9 Condition 3.

10 MEMBER MERCER: Second.

11 CHAIRMAN STAFFORD: Further discussion?

12 (No response.)

13 CHAIRMAN STAFFORD: All in favor say aye.

14 (A chorus of ayes.)

15 CHAIRMAN STAFFORD: Opposed?

16 Hearing none, Condition 3 is adopted.

17 Number 4.

18 MEMBER MERCER: Mr. Chairman, I move approval

19 of Condition 4.

20 MEMBER HILL: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 (No response.)

23 CHAIRMAN STAFFORD: All in favor say aye.

24 (A chorus of ayes.)

25 CHAIRMAN STAFFORD: Opposed?

1 Hearing none, Condition 4 is adopted.

2 Number 5. And this is itself language that was
3 proposed by the Applicant.

4 MEMBER FANT: Mr. Chair, I move Condition 5.

5 MEMBER MERCER: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 MEMBER FANT: Give us one second here.

8 CHAIRMAN STAFFORD: Yes. There's a number of
9 subparts, a) through n). So I think we can go through
10 and look and take them one at a time.

11 The whole thing has been moved, but if we're
12 going to make changes to it, we'll start with are there
13 any changes to a).

14 MEMBER MERCER: Mr. Chairman, this is all the
15 language that the Applicant wants; right?

16 CHAIRMAN STAFFORD: No. It looks like there's
17 a typo. It should say "After consultation and in
18 coordination with Pinal County, the Applicant will
19 complete a traffic study and implement a traffic
20 management plan as stated," yada-yada. It should be
21 "complete" instead of "develop."

22 But that's a -- probably just make that change
23 now. That was my mistake when I cut and pasted it.

24 Wait a second. No. I'm looking at the wrong
25 one. No. That is the right one. I'm looking at the

1 one for the transmission project. Never mind.

2 MS. GILBERT: I'm also looking at the redline
3 version. It looks like the edit wasn't made in this.
4 But what you have here on the screen in the proposed
5 5.a, that the Applicant will complete a traffic study,
6 is what we have in the transmission CEC that was
7 approved yesterday and it should match here.

8 CHAIRMAN STAFFORD: Yeah, we should probably
9 change the "develop" to "complete" and make them
10 consistent.

11 MEMBER LITTLE: Yes.

12 CHAIRMAN STAFFORD: Is that your motion?

13 MEMBER LITTLE: Yes.

14 MEMBER MERCER: Second.

15 CHAIRMAN STAFFORD: Further discussion?

16 MEMBER FANT: Yes. I'm interested in maybe a
17 couple of changes here.

18 CHAIRMAN STAFFORD: Well, there's one before
19 us. Can we adopt that before we make other ones?

20 MEMBER FANT: Lo siento.

21 CHAIRMAN STAFFORD: All in favor say aye.

22 (A chorus of ayes.)

23 CHAIRMAN STAFFORD: Opposed?

24 Hearing none, the amendment is adopted.

25 We've changed the word "develop" to "complete"

1 in 5.a).

2 Member Fant.

3 MEMBER FANT: Two things.

4 CHAIRMAN STAFFORD: More changes to a)?

5 MEMBER FANT: Not a).

6 CHAIRMAN STAFFORD: Is it to b)?

7 MEMBER FANT: Let me go back and see.

8 CHAIRMAN STAFFORD: Let's take them in order if
9 you've got any changes.

10 I think we're done with a).

11 Let's look at b).

12 MEMBER HILL: b) looks good.

13 CHAIRMAN STAFFORD: Then I would just let
14 members know that we have a very similar condition.
15 That is Condition 25.

16 MEMBER LITTLE: Mr. Chairman.

17 CHAIRMAN STAFFORD: Yes, Member Little.

18 MEMBER LITTLE: I like -- even though it's
19 similar to that other condition, I like showing it here.

20 CHAIRMAN STAFFORD: Okay. I think the
21 difference is 25 mentions the National Fire Protection
22 Association codes and standards.

23 Is there anything in 25 that we wouldn't put in
24 this and then eliminate 25? Because it seems to have
25 them both --

1 MEMBER HILL: I don't think there's anything
2 conflicting, and the Applicant offered this language, so
3 I think we just leave it.

4 MEMBER LITTLE: I agree.

5 CHAIRMAN STAFFORD: Okay. No changes to b).

6 How about c)?

7 d)?

8 Should we clarify this to say "as measured from
9 the edge of the project site"?

10 MEMBER FANT: Yes.

11 MS. GILBERT: Mr. McClellan, can I have you
12 check. If we were to change "project property line" to
13 "project site," keeping in mind that Exhibit A going
14 forward is just going to be the blue --

15 CHAIRMAN STAFFORD: It's the 60 acres. It's
16 the green hatched. That's what the project site is.
17 We're defining that as the --

18 MS. GILBERT: Yes.

19 A. BY MR. McCLELLAN: Just to clarify, are we
20 looking at subsection d)?

21 CHAIRMAN STAFFORD: Yes.

22 A. BY MR. McCLELLAN: Yeah, we proposed the
23 project property line because that's the point at where
24 the public could potentially be exposed, as opposed to
25 the fenced-in site boundary within SRP-owned property.

1 CHAIRMAN STAFFORD: What's the project property
2 line? How is it different than the project site?

3 A. BY MR. McCLELLAN: Well, I think it would just
4 be the property line. I'm not sure the best way to
5 develop it, but --

6 CHAIRMAN STAFFORD: Because the property line
7 is out there at the wash.

8 A. BY MR. McCLELLAN: Yes. I think there's no
9 risk of the public being exposed to any noise within SRP
10 property.

11 And for us to control the noise that the
12 project emits that's closer, we could incur additional
13 costs that we wouldn't need to, and those would be costs
14 that wouldn't be any more protective of the public.

15 MEMBER LITTLE: Would it be maybe more clear if
16 we said "the SRP property line"?

17 A. BY MR. McCLELLAN: I think that would be
18 perfect.

19 MEMBER LITTLE: Because this whole project and
20 project site --

21 CHAIRMAN STAFFORD: Right. Because we're
22 defining the terms so we know what we're talking about.
23 So, yeah, it should be not "project." Probably it
24 should be "SRP property line."

25 A. BY MR. McCLELLAN: I agree.

1 CHAIRMAN STAFFORD: Okay. Is that your
2 amendment, Member Little?

3 MEMBER LITTLE: Yes.

4 MEMBER MERCER: Second.

5 CHAIRMAN STAFFORD: Further discussion?
6 (No response.)

7 CHAIRMAN STAFFORD: All in favor say aye.
8 (A chorus of ayes.)

9 CHAIRMAN STAFFORD: Opposed?
10 Hearing none, the amendment is adopted.
11 I think we're done with d).
12 e).

13 MEMBER LITTLE: Mr. Chairman, just to clarify,
14 I know dust control permits are state, ADEQ.
15 Stormwater, is that also state, DWR?

16 MEMBER MEEKER: No.

17 MEMBER LITTLE: So applicable stormwater
18 permits, you don't have any; right?

19 CHAIRMAN STAFFORD: I thought DEQ had a
20 water -- Member Drago.

21 MEMBER DRAGO: Yeah, it's possible they'll need
22 a construction MSPG for stormwater.

23 MEMBER LITTLE: So there are permit
24 requirements at the state level for stormwater.

25 MEMBER DRAGO: Right.

1 MEMBER LITTLE: Thank you.

2 MEMBER DRAGO: And the correction is, is that I
3 believe the dust control permit would be issued by Pinal
4 County Air Quality District.

5 A. BY MR. HARBIN: Yes, that's correct.

6 CHAIRMAN STAFFORD: But they are subject to
7 that county requirement because that's delegated
8 authority from EPA to ADEQ to the county.

9 A. BY MR. HARBIN: That is correct.

10 CHAIRMAN STAFFORD: They're enforcing a federal
11 standard, so it applies.

12 MEMBER LITTLE: Just want it on the record that
13 there are permit requirements that you guys are
14 obligated to abide by.

15 CHAIRMAN STAFFORD: This is not an illusory
16 condition.

17 MEMBER LITTLE: Right.

18 CHAIRMAN STAFFORD: Okay. f).

19 MEMBER HILL: Thank you for this.

20 CHAIRMAN STAFFORD: Any suggestion for f)?

21 MEMBER HILL: No. Looks good.

22 CHAIRMAN STAFFORD: Which letter were you
23 thinking of changing, Member Fant?

24 MEMBER FANT: j).

25 CHAIRMAN STAFFORD: We're almost there.

1 Project fence line. Wouldn't that be the
2 project site? What? Oh, yeah, we're on f), yes.

3 MS. GILBERT: Chairman Stafford, you asked
4 about fence line versus property and site, and I might
5 ask Mr. McClellan to clarify. I think our intent was to
6 measure from the green box and not the blue.

7 But, Mr. McClellan, can you talk us through
8 where the --

9 CHAIRMAN STAFFORD: Because, yeah, the edge of
10 the project site, whatever, it's going to have to be --
11 the project fence line would be the edge of the project
12 site; right?

13 MS. GILBERT: Mr. McClellan, can you answer
14 that.

15 A. BY MR. McCLELLAN: Could you restate that
16 question, Chairman?

17 CHAIRMAN STAFFORD: f) We're talking about
18 measuring from the project fence line and having a
19 200-foot wide buffer from the Santa Rosa Wash. So that
20 means that that would be the edge of the project site,
21 that 60 acres that --

22 A. BY MR. McCLELLAN: The green box.

23 CHAIRMAN STAFFORD: -- is going to start at
24 that and go west from this buffer; right?

25 A. BY MR. McCLELLAN: Yeah. You would be at least

1 200 feet over to the boundary for the Santa Rosa Wash.

2 CHAIRMAN STAFFORD: So then measuring from the
3 edge of the project site or the project site fence line?

4 MEMBER LITTLE: I think that makes it more
5 clear.

6 CHAIRMAN STAFFORD: Because I'm trying to,
7 like, use consistent terms of what we're talking about.

8 MEMBER LITTLE: We don't even need the words
9 "the edge of" if we've got the --

10 CHAIRMAN STAFFORD: Yeah. Measuring from
11 the --

12 MEMBER LITTLE: Well, is it going to be fenced?
13 The whole green?

14 A. BY MR. McCLELLAN: Yeah. Anything that is
15 associated with the facility will be inside the fence
16 line with the exception of transmission poles.

17 CHAIRMAN STAFFORD: Right. Yeah, measured from
18 the edge of the project site fence line. Yeah. Because
19 we're talking about the 60 acres. It's not the blue
20 SRP-controlled edge that goes all the way through the
21 wash, but it's -- the plant will not be located. The
22 edge of that 60 acres is going to start at least
23 200 feet away from the Santa Rosa Wash.

24 A. BY MR. McCLELLAN: That's correct.

25 CHAIRMAN STAFFORD: And that's what we're

1 trying to say; right?

2 MEMBER LITTLE: Mr. Chairman, my point is I
3 think that's redundant. The edge of the fence line?

4 CHAIRMAN STAFFORD: Yeah. Measuring from the
5 project site fence line, yeah.

6 A. BY MR. McCLELLAN: I agree. I think you could
7 remove "edge of."

8 CHAIRMAN STAFFORD: "The edge of," yeah.

9 MEMBER LITTLE: Okay.

10 CHAIRMAN STAFFORD: So it will be "Measuring
11 from the project site fence line, the Applicant will
12 develop and maintain a 200-foot wide buffer."

13 Is that your motion, Member Little?

14 MEMBER LITTLE: Yes.

15 MEMBER MERCER: Second.

16 CHAIRMAN STAFFORD: Further discussion?

17 (No response.)

18 CHAIRMAN STAFFORD: All in favor say aye.

19 (A chorus of ayes.)

20 CHAIRMAN STAFFORD: Opposed?

21 Hearing none, the amendment is adopted to 5.f.

22 I think g) looks fine. Does anybody have any
23 suggestions for g)?

24 h)?

25 What Pinal County requirements are applicable?

1 MEMBER HILL: Pinal County manages noxious weed
2 activities. "In accordance with state and Pinal County
3 requirements," I'm okay with this one. They don't have
4 to do it, so I think this is a nice add.

5 "In accordance" is a little off because they
6 don't have to do it, but I expect that they're going to
7 do it. I think the farmers will be really mad at them
8 if they didn't.

9 So there's a social -- there's an amount of
10 social and communal enforcement here, so I'm not too
11 worried about it. But I appreciate that it's in the
12 list and the intention is there.

13 CHAIRMAN STAFFORD: No changes to h)?

14 MEMBER HILL: No changes.

15 CHAIRMAN STAFFORD: All right. i).

16 MEMBER HILL: No changes from me, if you're
17 asking.

18 CHAIRMAN STAFFORD: Okay. j). This is the
19 exciting one.

20 MEMBER FANT: Good one.

21 CHAIRMAN STAFFORD: Member Fant, you had a
22 suggestion for j).

23 MEMBER FANT: Yes, I do, Mr. Chair.

24 In Line 1, 2, 3, 4, 5, 6, 7, after the second
25 word, the period and the parentheticals there, I might

1 -- I suggest adding the phrase "Applicant shall
2 encourage adjacent solar field operators to participate
3 in said community outreach plan, period."

4 Oh, if solar is built.

5 CHAIRMAN STAFFORD: So before "in addition"?

6 MEMBER FANT: Before "in addition," yes,
7 Mr. Chair.

8 MS. GILBERT: Member Fant, did you want that
9 inside the parenthetical or as its own sentence?

10 MEMBER FANT: Outside the parenthetical.

11 MS. GILBERT: That's fine.

12 A. BY MR. McCLELLAN: Is the intent there to
13 really just include the developers for the Marigold
14 Energy Center, or would that be anybody that's
15 developing in the area?

16 MEMBER FANT: Future solar operator. That's
17 why I said "adjacent."

18 A. BY MR. McCLELLAN: Okay. I understand.
19 Perfect.

20 MEMBER FANT: Three miles away, we don't care.
21 But if they're directly adjacent --

22 COURT REPORTER: One at a time, please.

23 CHAIRMAN STAFFORD: Yeah, guys.

24 Member Fant, finish your statement, please.

25 MEMBER FANT: Future solar operators which may

1 be adjacent to the plant. Right now it's only NextEra,
2 but one or two more may pop up. And just encourage them
3 to join the outreach. They don't have to, but it would
4 be wise to join them.

5 A. BY MR. McCLELLAN: Thank you for the
6 clarification.

7 MEMBER FANT: That's my suggested language.

8 CHAIRMAN STAFFORD: Yes. Otherwise, we'll get
9 lost. And then when I'm trying to sort out what the
10 final certificate looks like, I have to reconvene
11 because I can't tell what we voted to do.

12 MEMBER HILL: Mr. Chair.

13 CHAIRMAN STAFFORD: Yes, Member Hill.

14 MEMBER HILL: I know we've looked at this
15 language a little bit.

16 So the Applicant's developing a community
17 outreach plan and doing engagement to talk about all of
18 these mitigation measures through public surveys,
19 meetings, et cetera, until commercial operation. So
20 that seems like at this point we don't need to do all
21 these things.

22 I know that SRP is going to be neighbors with
23 these folks for a long time and continue to work with
24 them. My only thought is that I talked quite a bit
25 about adaptive mitigation or adaptive management and

1 mitigation. So I feel like that's at least one year
2 beyond -- you know, it's that first year of commercial
3 operation.

4 So if it's going to be until commercial
5 operation, if that starts to feel like we're going to
6 phase out the intensity of the outreach, maybe it should
7 be, you know, up until one year after commercial
8 operation, or something like that, so that we can do
9 that kind of adaptive things that we kind of talked
10 about.

11 CHAIRMAN STAFFORD: Okay. Let's deal with
12 Member Fant's suggested change and circle back to yours.

13 MEMBER HILL: Oh, I'm sorry.

14 CHAIRMAN STAFFORD: He's suggested -- can you
15 see the change? We're jumping all over the place here.
16 There you go.

17 MEMBER HILL: Oh, this is good. This is a good
18 add.

19 CHAIRMAN STAFFORD: Shouldn't it be
20 "participate in the community outreach plan"?
21 What?

22 MEMBER FANT: Add or --

23 CHAIRMAN STAFFORD: Future solar.

24 MEMBER FANT: My theory is that communication
25 is the core of any good relationship and over time this

1 will build a bind between the parties. Powerful.

2 CHAIRMAN STAFFORD: Do we want to define it
3 different than adjacent? Do we want to say any other
4 energy providers or some term that connects to the
5 Marigold Substation? Because that would definitely be
6 NextEra. It would -- even if someone else built some
7 other kind of plant that was going to tie in, like,
8 "Hey, you're tying in here. We're all going to deal
9 with the community."

10 MEMBER FANT: I mean, that's fine, but I think
11 this lights the wick and gets it going. And in the
12 future, if you're not part of the party, you'll want to
13 join the party.

14 CHAIRMAN STAFFORD: Member Comstock.

15 MEMBER COMSTOCK: Mr. Chairman, I don't think
16 we can hold the Applicant in perpetual responsibility
17 for this. I think we ought to put "directly adjacent to
18 the project." And then as there's other builds in the
19 area, that they may come on board or not.

20 But if we're going to leave it in, I think we
21 should ask the Applicant to -- if somebody builds right
22 next to them to go ahead. But if they start skipping
23 parcels and that's considered adjacent --

24 CHAIRMAN STAFFORD: Well, then that's going to
25 exclude NextEra because they're not directly adjacent to

1 this project. There's a big chunk of not SRP-controlled
2 property.

3 If you say directly adjacent, it's going to
4 eliminate the guys that we know are going to be building
5 the solar on the SRP property.

6 MEMBER COMSTOCK: Well, I was -- Mr. Chairman,
7 I was looking at the placemat, and the blue connects.

8 CHAIRMAN STAFFORD: It does not. There is no
9 blue between the BESS collector and the Marigold
10 Substation. So, technically, nobody is directly
11 adjacent to the project.

12 Member Drago.

13 MEMBER HILL: I have to raise my hand. I just
14 have to get used to it. I'm sorry.

15 MEMBER DRAGO: No. Go ahead, Member Hill.

16 MEMBER HILL: I think -- I appreciate where
17 Member Comstock is coming from.

18 What if it's just on SRP land? Then anyone
19 who's working with SRP on SRP land participates in this
20 process. And anyone else can plug into the Marigold
21 Substation. It doesn't mean that they have to
22 participate. It might just be anyone that's on SRP
23 land, operating on SRP land.

24 MS. GILBERT: Member Hill, could you restate
25 how you would revise?

1 MEMBER HILL: I can kind of barely see, but
2 "The Applicant will encourage future solar operators
3 which may be located on SRP land to participate -- which
4 would be located on SRP land to participate in community
5 outreach plan."

6 I mean, to Mr. Comstock's point, like, others
7 might come in and they shouldn't have to participate in
8 this whether they're adjacent or nearby or in the
9 Marigold Substation.

10 CHAIRMAN STAFFORD: Well, this isn't going to
11 require anything. It requires the Applicant to
12 encourage these people to participate. It doesn't
13 require anything of these new people that are coming
14 into this area.

15 MS. GILBERT: What if we --

16 MEMBER HILL: Go ahead.

17 CHAIRMAN STAFFORD: Ms. Gilbert.

18 MS. GILBERT: Thank you.

19 What about "The Applicant will encourage future
20 participants in the Marigold Energy Center to
21 participate in the community outreach plan." Because I
22 think that would --

23 MEMBER HILL: Love it.

24 MS. GILBERT: It's a solar and battery project,
25 so it's probably worthwhile to include both.

1 CHAIRMAN STAFFORD: There you go.

2 MS. GILBERT: And then this would --

3 CHAIRMAN STAFFORD: That works.

4 Does that work for you, Member Fant?

5 MEMBER FANT: Yes.

6 CHAIRMAN STAFFORD: Member Drago.

7 MEMBER DRAGO: Okay. Thanks. That was heading
8 down the road I was thinking about. Because I didn't
9 know what a solar operator was, if it's a guy living
10 next door and he works over there. It wasn't clear to
11 me.

12 But what is a future participant?

13 CHAIRMAN STAFFORD: It's going to be NextEra.
14 Because in the prior case, we approved the transmission
15 line that's going to go from the solar collector
16 substation to the Marigold Substation, and then from the
17 BESS collector substation to the Marigold Substation.
18 But the BESS and the solar is all going to be operated
19 by NextEra. That's who's going to be operating that,
20 and then they're going to provide the power to SRP.

21 So this is -- so it's telling SRP, you need to
22 encourage NextEra, the future participant in the energy
23 center, to participate in the community outreach.

24 So it's like, "Hey, you guys should be looking
25 at what you guys are going to screen for your solar

1 stuff, too, and what kind of fence do they want that the
2 neighbors have to look at," that kind of thing.

3 Member Drago.

4 MEMBER DRAGO: I just don't know that if
5 someone from the public opens the docket next week and
6 reads that, I still question what is a future
7 participant, and it took you some time to explain that.
8 So can we make it a bit more explicit on who we're
9 talking about?

10 MS. GILBERT: Mr. McClellan, could we say,
11 instead of "future participants" is it "co-developers"
12 or is there a -- or just say "NextEra"? We'll look to
13 your expertise.

14 CHAIRMAN STAFFORD: I guess is there a chance
15 it won't be NextEra?

16 MS. GILBERT: I was trying to ask that without
17 being so blunt.

18 Mr. McClellan, is "co-developer" a fair term?

19 A. BY MR. McCLELLAN: I think that's a -- we don't
20 typically use that term, but I think that adequately
21 explains what we're talking about here.

22 It's really the -- what we're talking about is
23 the developer of the solar and battery storage portions
24 of this project, which is really a co-developer of the
25 entire Marigold Energy Center, so that works.

1 CHAIRMAN STAFFORD: Do you want to say -- do
2 you want to tie it to the prior case, 267? Because we
3 don't really talk about the Marigold Energy Center in
4 this certificate. I think reference to all that was in
5 the prior certificate.

6 MS. GILBERT: So developers associated with
7 the -- is it Case 267?

8 CHAIRMAN STAFFORD: Yeah.

9 MEMBER LITTLE: But 267 is just the
10 transmission line.

11 CHAIRMAN STAFFORD: Right. But where does it
12 go? It goes from a solar collector substation to
13 Marigold Substation, and then the BESS substation to
14 Marigold. So anybody who's -- that's going to tie that,
15 say, "Hey, we're trying to rope you into participating
16 in this community outreach program."

17 MS. GILBERT: And since that could be even
18 maybe broader than a developer, because it could be a
19 transmission project that taps in, I think changing
20 "co-developers" back to "participants" would make sense.

21 MEMBER DRAGO: Yeah, and then you put the case
22 in there so it's a bit more explicit.

23 CHAIRMAN STAFFORD: Right. Because that's
24 where we do all the reference to the Marigold Energy
25 Center, I think. We don't -- that term isn't in this

1 certificate at all.

2 Member Fant.

3 MEMBER FANT: Thank you, Mr. Chair.

4 Future participants is fine because it's a
5 little bit vague, and the relationships will develop and
6 go where they go.

7 CHAIRMAN STAFFORD: I'm struggling with the
8 prepositions.

9 MS. GILBERT: I think we could delete "in the
10 Marigold Energy Center" and get rid of one preposition.

11 CHAIRMAN STAFFORD: Or "and the Marigold Energy
12 Center," or just eliminate -- just put that docket and
13 just take the whole thing out?

14 MS. GILBERT: I think so.

15 CHAIRMAN STAFFORD: Yeah. Because "with" and
16 then "in," I don't know. The prepositions weren't
17 working for me there.

18 Okay. There we go.

19 How is that? Does that work, Member Fant?

20 MEMBER FANT: Yeah, I think bringing people
21 together and talking will help build community support
22 for the plant, for the project. I really do.

23 I'm looking at, for lack of a better term, the
24 Texas energy model where, routinely, small towns stoutly
25 defend their industrial community members. So I think

1 that will develop here too.

2 CHAIRMAN STAFFORD: Okay.

3 MEMBER FANT: Over time. Not tomorrow, but it
4 will take some time.

5 CHAIRMAN STAFFORD: So Member Fant has proposed
6 to amend 5.j to insert a new sentence after -- let's
7 see. It's line seven of paragraph j) after repair,
8 comma, et cetera, period.

9 A new sentence that would read "The Applicant
10 will encourage future participants associated with
11 Docket No. L-00000B-26-0363-00267, Case No. 267, in,
12 paren, to participate in the community outreach plan,
13 period."

14 That is your amendment, Member Fant?

15 MEMBER FANT: Yes, Mr. Chairman.

16 MEMBER LITTLE: I second.

17 CHAIRMAN STAFFORD: All in favor say aye.

18 (A chorus of ayes.)

19 CHAIRMAN STAFFORD: Opposed?

20 MEMBER COMSTOCK: Nay.

21 CHAIRMAN STAFFORD: By eight ayes and one nay,
22 the amendment passes.

23 Anything else to j)?

24 MEMBER LITTLE: Member Hill, did you want to --
25 I have the same concern you do.

1 CHAIRMAN STAFFORD: Oh, yes. Talking about the
2 duration of the community outreach plan.

3 Yeah, I think you still have some community
4 working groups that are still going for some power
5 plants in other parts of the state.

6 MS. GILBERT: And Ms. Falk would share that the
7 community engagement is continuous, I think.

8 But to the purpose of having a time frame in
9 j), I think Member Hill had said one year after
10 commercial operation, and that seems reasonable.

11 MEMBER LITTLE: Mr. Chairman.

12 CHAIRMAN STAFFORD: Yes, Member Little.

13 MEMBER LITTLE: I would like to -- j) does not
14 say how often you're going to meet, any of that kind of
15 thing. It's kind of open and implies that you will have
16 active community outreach until operation. And I'm fine
17 with that description.

18 I think that I would like to see you meet with
19 the community at least once a year for five years after
20 commercial operation to enable -- what is that term that
21 Member Hill used? Making changes as you go along.

22 MEMBER HILL: Adaptive.

23 MEMBER LITTLE: I don't actually have the
24 language, but that's my preference is that you continue
25 to meet with them and let them know that, you know, not

1 only that they have a phone number they can call, but
2 that you're there. You're still there for them. What
3 have you guys -- what are we finding as we go along
4 here?

5 So perhaps we just need another sentence after
6 the existing sentence.

7 CHAIRMAN STAFFORD: Member Drago, you had a
8 suggestion?

9 MEMBER DRAGO: Yeah. I was just going to ask
10 the Applicant to maybe talk a little bit about
11 what your -- if this project -- if we weren't here
12 today, what is your general practice for public affairs,
13 outreach, and the like?

14 Because maybe there's something you all can say
15 here that you do on a regular basis, regardless of this
16 project, that somehow we can capture that here for you.

17 A. BY MS. FALK: So my team meets with all of the
18 communities where we have generation assets continuously
19 throughout the year. We don't have set community
20 meetings, but my team is always out in the community
21 meeting with organizations, residents, interested
22 parties, to make sure we're capturing their needs and
23 supporting.

24 A. BY MS. HALLOWS: And then I can add on to that
25 as well. Remember, this project had a project hotline.

1 That hotline doesn't go away. That e-mail address
2 doesn't go away. My team doesn't go away.

3 So oftentimes we still hear from community
4 members with questions or concerns that are either
5 related or unrelated to the project that they originated
6 from. So that's always going to remain as well.

7 MEMBER DRAGO: I was thinking maybe something
8 like a newsletter, too, because then that gets the
9 attention of the community and in the newsletter you
10 give the hotline. And then if they have a concern,
11 they'll reach out to you.

12 A. BY MS. HALLOWS: I think that could work as
13 well. We would also be mailing a construction
14 notification. And maybe the newsletter is in tandem
15 with some of the community meetings and such.

16 MEMBER DRAGO: Sort of like a progress report.

17 MS. GILBERT: Member Drago, I think these are
18 all ideas that would eventually bubble up into that
19 community outreach plan that Member Little has asked us
20 to develop with the community.

21 And so I'll defer to Ms. Falk, but kind of what
22 is the vision for how that would kick off.

23 A. BY MS. FALK: I think we would plan to start
24 meeting with the community formally at the beginning of
25 the new year. But I would like to lean on what they're

1 interested in, how often they're interested in meeting,
2 to be able to tie that into the plan that we put
3 together.

4 MEMBER LITTLE: Mr. Chair.

5 CHAIRMAN STAFFORD: Maybe if you phrased it and
6 said that they would develop the plan, you know, have --
7 include surveys, public and mutual meetings, as needed,
8 leading up to commercial operation. And then later on
9 it says, following commercial operation, Applicant will,
10 you know, for X many years --

11 I mean, the mitigation stuff, how long does
12 that take? Because it can take -- depending what it's
13 going to be, like, for example, you decide you're going
14 to plant trees in the Santa Rosa Ranchos yards. Because
15 they're too far away. Anything you do on your property
16 is not going to have any effect.

17 The only thing that would help them is if you
18 put trees on the edge of their property that would
19 obscure the view of the plant, but then that's going to
20 take time. I mean, you're not going to know how
21 effective it is until the plant is built and trees --
22 and they got to maintain the trees too. I mean, you're
23 not going to -- if they -- how many trees are they going
24 to let die before you stop replacing them?

25 But I think that some of that stuff is going to

1 continue past operation. I think that's what -- and I
2 think you want to see a little more than just having
3 point of contact; right, Member Hill?

4 MEMBER HILL: I was okay with one year because
5 I feel like a year of operations helps the community
6 start to adjust and figure out if they are
7 experiencing -- I mean, I don't want to suggest that
8 they are going to have impacts, but at least a year
9 would give them the ability to become familiar with
10 traffic pattern changes or other impacts that might need
11 to be mitigated as we learn about the operation of the
12 plant. I think five years is a lot to kind of hold SRP
13 to. We could maybe shift it down to three years and
14 maybe find some middle ground.

15 I still think SRP is going to continue to do
16 consultation, but what I was trying to provide is the
17 public some certainty that SRP will be engaged with
18 them, but that intensity will back off once the plant is
19 more operational. Kind of manage that expectation;
20 right?

21 And I also think -- I mean, I think it's an
22 interesting idea we plant trees and then replace trees,
23 I mean, I think we try some mitigation measures, we make
24 some investments, but SRP can't be responsible for trees
25 dying if they aren't being cared for; right?

1 So I think, for me, this -- I like the
2 suggestion. I also think that working groups don't need
3 to keep going on, just going on forever. But I think I
4 would like to guarantee the community a certain amount
5 of intensity and time to build relationships to
6 understand the operation of the plant after operation --
7 you know, after it's operationalized and what that means
8 for them. And so that's why I proposed the one year.
9 Member Little proposed five. Maybe there's some middle
10 ground there.

11 CHAIRMAN STAFFORD: Two. Between one and five,
12 two.

13 Member Drago.

14 MEMBER HILL: Two and a half?

15 MEMBER DRAGO: I think, to Member Hill's point,
16 I agree that there should be something in here.

17 And I think based on my experience over the
18 years with building fabs and sustaining fabs, the
19 distinction here, I believe, is during construction
20 you're going to learn a lot about what bothers the
21 community during construction. And then put something
22 in here -- so to Member Little and Member Hill's point,
23 is upon commencement of sustaining operations, a
24 check-in meeting, or something like that.

25 MS. GILBERT: How about if it's "The Applicant

1 will continue to meet with the community after
2 commercial operation at least once per year"?

3 MEMBER LITTLE: I agree. And I think that we
4 don't necessarily need to have it go on forever,
5 although I think it would be beneficial to just make it
6 a standard, you know, standard thing.

7 But I'm not against putting a number in there.
8 And two is not halfway between one and five. Three is.

9 CHAIRMAN STAFFORD: 2.5 is halfway.

10 MEMBER LITTLE: No, it's not. One plus five is
11 six divided by two.

12 CHAIRMAN STAFFORD: Okay. Okay. I was going
13 from 0 to 5.

14 MEMBER LITTLE: You're talking to a math
15 professor.

16 MEMBER HILL: It could be that the first --
17 "During the first three years of commercial operations,
18 the Applicant will meet with the community at least once
19 a year," or something like that.

20 CHAIRMAN STAFFORD: Maybe it's three times the
21 first year, twice the second, and once the third?

22 MEMBER HILL: "At least" is fine with me. And
23 I just don't think these need to go on forever. And
24 they can keep doing it after three years if it's proven
25 valuable to everyone; right? But I like a sunset on

1 these kinds of things as an option.

2 CHAIRMAN STAFFORD: Member Drago.

3 MEMBER DRAGO: Yeah. I do think I like that
4 idea. Because once a facility becomes a sustaining
5 operation, typically, it becomes static and those
6 nuisances that the community complains about really
7 pretty much go away after you have mitigated them. So
8 that's, I think, what I like about Member Hill's point
9 is, is we're not meant to hold you to holding those
10 community meetings forever.

11 So just somehow to distinguish between the
12 construction time when you'll get more complaints and
13 then moving into sustaining operation, maybe a year
14 check-in or something.

15 CHAIRMAN STAFFORD: Can you see what's on the
16 screen, Member Hill?

17 MEMBER HILL: I can. That looks great.

18 MEMBER LITTLE: I agree.

19 CHAIRMAN STAFFORD: Would one of you like to
20 make a motion?

21 MEMBER LITTLE: I so move.

22 MEMBER HILL: Second.

23 CHAIRMAN STAFFORD: So the change we're
24 specifically making is to 5.j, the sentence that -- was
25 it line two of j), beginning with "The Applicant shall

1 also develop a community outreach plan through
2 engagement with the community in a variety of forms that
3 could include surveys, public and individual meetings,
4 as needed, leading up to commercial operation to provide
5 opportunities for feedback on mitigation measures, e.g.
6 a block wall, vegetative screening, tree planting, road
7 paving, road repair, et cetera. During the first three
8 years of commercial operation, the Applicant will
9 continue to meet with the community at least once per
10 year."

11 That's your amendment?

12 MEMBER HILL: That looks great.

13 MEMBER LITTLE: Yes.

14 CHAIRMAN STAFFORD: And it's been seconded?

15 MEMBER LITTLE: Yes.

16 CHAIRMAN STAFFORD: Further discussion?

17 MEMBER COMSTOCK: Mr. Chairman, I realize this
18 won't be popular with my friends on the committee, but
19 there are some things -- and I want to commend the
20 public for the comments that they made in wanting to
21 meet, but some things are just too nebulous to put into
22 conditions.

23 I think this section ought to be struck, and we
24 ought to let SRP do the work that they do and have been
25 doing for 100 years in the Valley. They're good

1 neighbors. They have people who do this work and they
2 want to be in contact with the communities they serve.

3 So I don't really see a need for j). And with
4 that, I'll be voting no for it. But it's not that the
5 public shouldn't be heard or met with, but this company
6 does a good job, and so I don't know why we just
7 wouldn't let them do it.

8 That's my opinion. Thank you, Mr. Chairman.

9 CHAIRMAN STAFFORD: Thank you, Member Comstock.
10 Member Little.

11 MEMBER LITTLE: Thank you, Mr. Chairman.

12 Sorry, Member Comstock. I didn't mean to
13 interrupt you.

14 I agree. This company is good neighbors, and
15 we're not saying that they can't continue to do more,
16 which they probably will, knowing SRP.

17 However, I think for the benefit of the public
18 it's good to have a bare minimum in here in writing in a
19 condition. And as a representative of the public, I
20 think it's important that we include j) as amended.

21 CHAIRMAN STAFFORD: All right. The amendment
22 has been moved and seconded.

23 All in favor say aye.

24 (A chorus of ayes.)

25 CHAIRMAN STAFFORD: Opposed?

1 MEMBER COMSTOCK: Nay.

2 CHAIRMAN STAFFORD: By eight ayes and one nay,
3 the amendment is approved.

4 All right. Well, we've been going for over
5 90 minutes. The court reporter needs a break.

6 When we come back, we will be on 5 -- are we
7 done with 5.j? When we come back, we'll start with 5.k.

8 We stand in recess.

9 (A recess was taken from 10:34 a.m. to
10 10:51 a.m.)

11 CHAIRMAN STAFFORD: Let's go back on the
12 record.

13 I believe we were on 5.k.

14 MEMBER HILL: Mr. Chair.

15 CHAIRMAN STAFFORD: Yes, Member Hill.

16 MEMBER HILL: I just wanted to point out, at
17 the end of 5.j, there's a reference to the CEC case as
18 modified and that just needs to come out. And you could
19 do that later as part of your cleanup.

20 CHAIRMAN STAFFORD: It will be part of the
21 motion to allow me to make corrections and finalize them
22 before I sign and file them with the Commission.

23 MEMBER HILL: Super.

24 CHAIRMAN STAFFORD: No changes to k).

25 How about l)?

1 m).

2 MEMBER FANT: I've got a suggestion, Mr. Chair.

3 CHAIRMAN STAFFORD: Yes, Member Fant.

4 MEMBER FANT: If I remember from the public
5 hearing, the folks wanted, if we could do it, an air
6 monitor at the school in Stanfield. And I was thinking
7 we might want to add some language in here to that
8 effect if SRP is not too uncomfortable with that. I
9 don't know. I know air monitors are not inexpensive.

10 MS. GILBERT: Mr. Harbin, are you prepared to
11 speak to any of that proposal?

12 A. BY MR. HARBIN: I would have to take a look at
13 air monitors and their cost. But there is -- for an EPA
14 grade monitor, it is fairly costly, and there is a
15 pretty high operations and maintenance cost associated
16 with those as well.

17 CHAIRMAN STAFFORD: How much is it?

18 A. BY MR. HARBIN: The analyzers themselves can be
19 in the tens of thousands. Operations and maintenance,
20 we would probably have to hire a third-party consultant
21 to come out and take care of the monitors.

22 MS. GILBERT: Also maybe -- if we could put
23 the -- or looking at the placemat, if you could put that
24 back up on the screen.

25 I think the school is a pretty far distance

1 away from the thermal plant, which is why the resources
2 we had listed in paragraph m) would encompass the area
3 of the school.

4 I don't know, Ms. Laurence or Ms. Hallows, if
5 you can --

6 A. BY MR. HARBIN: I would also speak to the
7 ambient air quality modeling. The map that we provided,
8 I believe, if you look at that, all of our -- or the
9 maximum concentrations, there were no receptors near the
10 school or Stanfield proper that were above a significant
11 impact level. So I think -- and that's in our
12 worst-case operating scenario, so I think we've
13 demonstrated that there should be no impacts at the
14 school.

15 MEMBER FANT: I still think 12 to 18 months of
16 data from the school might benefit you, knowing that
17 their problems are coming from an Texas-size pile of cow
18 manure which is about a mile west of Stanfield, if they
19 have any problems.

20 A. BY MR. HARBIN: The concern there, and I think
21 we spoke about this on a previous day, that there's no
22 way to really to determine unless we're doing it prior
23 to operations. I don't know if that's something SRP
24 would be willing to, you know, take on the burden and
25 the cost of that monitoring.

1 CHAIRMAN STAFFORD: Member Fontes.

2 MEMBER FONTES: Mr. Chairman, I've been on the
3 other side and had to do air monitoring during
4 operations. God, the dispersion and you really can't
5 get a fair reading. In my experience it's not been
6 effective, Member Fant. And I don't mean to dissuade
7 some voluntary monitoring here, but I don't know that
8 the value will be there.

9 I think the value is better of the air
10 monitoring, my personal experience, at the point of
11 origin, at the plant, on an annual basis, as outlined in
12 the ADEQ permit, and the requirements from EPA were best
13 left. Just my input.

14 CHAIRMAN STAFFORD: Member Fant.

15 MEMBER FANT: I'm just waiting to see if anyone
16 else -- any other members have any input on that point.

17 CHAIRMAN STAFFORD: I'm trying to look at what
18 we did in other cases here.

19 MEMBER HILL: I crack myself up. I've just
20 been talking on mute. This is the worst.

21 Mr. Chair, my request was that I am not
22 familiar with the AirNow EnviroFlash website. If it's
23 kind of like a citizen science program where folks
24 have -- you know, folks who are curious about air
25 quality or, you know, have some monitoring type

1 equipment. It may not be EPA grade equipment, but is
2 this like a citizen science program where they collect
3 this information and map it out and share that?

4 I wondered if the Applicant could talk about
5 what that is and what that offers.

6 CHAIRMAN STAFFORD: I believe that in the
7 Coolidge expansion case, SRP had a program for in-home
8 air monitors, and it had a cap of \$1,000 per home, I
9 think up to 60 homes. What kind of monitors would that
10 be? I mean, that's -- those aren't the tens of
11 thousands of EPA monitors that you're talking about.

12 A. BY MR. HARBIN: Yeah, that's correct. And I'm
13 not familiar. I'll let Mr. McClellan speak to Coolidge.

14 A. BY MR. MCCLELLAN: Yeah. Initially, we did
15 have that as something that we were going to work with
16 the community. If they wanted to have an in-home air
17 monitor, we were going to work through what that could
18 look like, what monitor we would provide. And then for
19 any residents that wanted that, they would be provided
20 one of those monitors.

21 In working with that community, they ultimately
22 decided that they did not want that, and we actually
23 ended up directing those funds elsewhere.

24 CHAIRMAN STAFFORD: Okay.

25 A. BY MR. HARBIN: Mr. Chair, if I may, to answer

1 Member Hill's question about the AirNow website, that is
2 through the USEPA. It is the air quality index which is
3 a scale from 0 to, I think, over 500. And it just
4 provides alerts on there's a healthy range, a moderate
5 range, you know, an extreme range.

6 And it just is a website and notifications that
7 are provided to the public or anyone who wants to sign
8 up just so they understand their local air quality.

9 CHAIRMAN STAFFORD: Did you have language to
10 propose, Member Fant?

11 MEMBER FANT: No, I didn't. I was thinking
12 something to the tune of "Applicant will make available
13 monitoring data at the school for an 18-month period."
14 And they can pick it. I don't care what it is.

15 CHAIRMAN STAFFORD: Well, they would want to do
16 it for at least some period before the plant commences
17 operation so they would have some kind of basis of
18 comparison.

19 MEMBER FANT: I would want it across the
20 startup, at least if I were the plant. And I'm going to
21 assume the data is going to show no problem.

22 MS. GILBERT: Mr. Harbin.

23 A. BY MR. HARBIN: And maybe this is something
24 that we propose to Pinal County as the authorized
25 delegated authority for air quality in this area. That

1 might be something that they would be willing to look
2 into.

3 CHAIRMAN STAFFORD: To look into what exactly?

4 A. BY MR. HARBIN: A monitoring near the Stanfield
5 school.

6 CHAIRMAN STAFFORD: Okay. So the county has --
7 I think in that map you shared, it has a list of --
8 there's a number of monitors in the area that they use
9 to collect data.

10 A. BY MR. HARBIN: Yeah. It's the Hidden Valley
11 monitor, again, the monitor that we've talked about
12 being impacted by a local source.

13 But they also have a Stanfield monitor that
14 is -- I would have to look at the map, but it is
15 three-and-a-half kilometers from the Marigold site, so
16 down near, I believe, Highway 84. So it is fairly close
17 to the Stanfield area. I can pull that up and look at
18 that distance.

19 CHAIRMAN STAFFORD: So that would be the
20 closest existing air monitor to the school.

21 A. BY MR. HARBIN: I believe so, but I'll verify
22 that.

23 MEMBER FANT: I think that's a rational
24 compromise. Just leave it to Pinal County.

25 CHAIRMAN STAFFORD: I mean, because that's an

1 existing air monitor that's collecting data; right?

2 MEMBER FANT: Right.

3 A. BY MR. HARBIN: Correct. Yeah.

4 CHAIRMAN STAFFORD: I mean, is it worth it to
5 provide that data on the project website so they can
6 look and see? I mean, the datas exist for the last how
7 many years that monitor has been in place?

8 A. BY MR. HARBIN: I believe that monitor has been
9 in place for, I want to say, at least 10 years at this
10 time now. And it is made publicly available through
11 Pinal County's website.

12 CHAIRMAN STAFFORD: Right. But, I mean, maybe
13 it's worth putting a link to that on your website so
14 then people can make their own comparison of what the
15 air quality was over the last 10 years compared to what
16 it looks like the first 10 years the plant is in
17 operation.

18 A. BY MR. HARBIN: I think that's something that
19 sounds reasonable that we can provide a link to that.

20 MEMBER FANT: Let me then suggest language that
21 "The Applicant will provide a link to the Stanfield area
22 monitor -- data from the Stanfield area monitor on its
23 project website," something like that.

24 CHAIRMAN STAFFORD: I guess it's worth asking,
25 what is -- how long will the project website be active?

1 MS. GILBERT: Ms. Hallows, how long are project
2 websites active?

3 A. BY MS. HALLOWS: Typically, it would only be a
4 year after in-service; however, now that we're adding a
5 multitude of reports, I think we need to revisit that
6 idea.

7 CHAIRMAN STAFFORD: Right. I mean, the
8 marginal cost of keeping that website active, it can't
9 be that much.

10 MS. GILBERT: I would agree. I think
11 Ms. Hallows and team can work out how to keep the
12 website up to date.

13 CHAIRMAN STAFFORD: Especially since you're
14 going to have to be meeting with the community for at
15 least three years after the plant commences operation.
16 I would expect the project website to be active at least
17 for that time frame.

18 A. BY MS. HALLOWS: I agree.

19 A. BY MR. McCLELLAN: And we'll also have the
20 posting for the emergency response plans that will have
21 to have a location throughout the life of the facility.

22 CHAIRMAN STAFFORD: So you'll probably end up
23 keeping that -- yeah, because of that, you'll want to
24 have the project website for the life of the plant,
25 then, really.

1 A. BY MR. McCLELLAN: That's correct.

2 CHAIRMAN STAFFORD: Okay.

3 MEMBER FANT: I think that would be sufficient.

4 Let me suggest some language here.

5 "The Applicant will make available through the
6 project website, information --"

7 CHAIRMAN STAFFORD: Provide a link there.

8 MEMBER FANT: Yeah. "The Applicant will make
9 available a link through the project website for
10 providing Stanfield monitor data."

11 How does that sound?

12 "Stanfield EPA monitor data."

13 CHAIRMAN STAFFORD: You probably want to
14 specifically identify that monitor.

15 MEMBER FANT: I don't know the EPA number for
16 it, of course.

17 A. BY MR. HARBIN: And I just verified that the
18 monitor is located at the Pinal County Sheriff's Office
19 in Stanfield, about .3 miles away.

20 MEMBER FANT: That's perfect.

21 A. BY MR. HARBIN: It's called the Stanfield
22 monitor.

23 MEMBER FANT: Okay. "The Stanfield monitor
24 located at the Pinal County Sheriff's Office," and also
25 provide information and, that way, it links it.

1 CHAIRMAN STAFFORD: When you back away from the
2 mic like that, we can't hear what you say.

3 MEMBER FANT: And then end the insert by saying
4 "And also provide," and then that goes in between --
5 that links it into the rest of the paragraph.

6 And that would be "The Applicant will make
7 available on its project website a link to the Pinal
8 County Sheriff's Office."

9 MS. GILBERT: Mr. Harbin, the monitor is at the
10 sheriff's office, but is the information -- the data
11 collected through that monitor on the Pinal County Air
12 Quality Website?

13 A. BY MR. HARBIN: That's correct.

14 CHAIRMAN STAFFORD: And it's the Stanfield
15 monitor.

16 A. BY MR. HARBIN: Correct.

17 MEMBER FANT: All right. Then let's make that
18 the Applicant will make available on its project website
19 a link to the --

20 CHAIRMAN STAFFORD: -- air quality data from
21 the Stanfield monitor --

22 MEMBER FANT: -- in Pinal County. Just in case
23 there's another Stanfield out there.

24 Perfect. And drop "sheriff's office."

25 CHAIRMAN STAFFORD: Does that look right,

1 Member Fant?

2 MEMBER FANT: I think that looks fine.

3 A. BY MR. McCLELLAN: Chairman Stafford, do you
4 want to clarify that it's the actual Stanfield monitor?

5 MEMBER FANT: That would be fine.

6 CHAIRMAN STAFFORD: Yes. Reported "by" the
7 Stanfield monitor? "From" the Stanfield monitor? What
8 is the --

9 MEMBER FANT: I think that's fine.

10 CHAIRMAN STAFFORD: Okay. So, Member Fant,
11 your amendment is to add a sentence to 5.m to the end of
12 the paragraph that reads "The Applicant will make
13 available on its project website a link to air quality
14 data from the Stanfield monitor in Pinal County."

15 MEMBER FANT: Yes.

16 CHAIRMAN STAFFORD: That's your motion?

17 MEMBER FANT: That's my motion for amendment.

18 CHAIRMAN STAFFORD: Who is the second?

19 MEMBER LITTLE: Second.

20 CHAIRMAN STAFFORD: Further discussion?

21 (No response.)

22 CHAIRMAN STAFFORD: All in favor say aye.

23 (A chorus of ayes.)

24 CHAIRMAN STAFFORD: Opposed?

25 Hearing none, the amendment is adopted.

1 Any other revisions to Section 5.m?

2 MEMBER LITTLE: What are those development
3 standards?

4 CHAIRMAN STAFFORD: That's n).

5 MEMBER LITTLE: Oh, sorry.

6 CHAIRMAN STAFFORD: Are we done with m)?

7 MEMBER LITTLE: I misunderstood you.

8 CHAIRMAN STAFFORD: We can go on to n), then.

9 I believe -- I seem to recall Ms. Justus
10 explained that to us yesterday.

11 MS. GILBERT: I believe she's online, but give
12 her a moment to come off mute, if she would like to
13 restate.

14 A. BY MS. JUSTUS: Yes. Thank you.

15 You're looking at the code citations in letter
16 n); is that correct?

17 CHAIRMAN STAFFORD: Yes.

18 A. BY MS. JUSTUS: Yes. The first citation is the
19 development standards for the Industrial 3 zoning
20 designation that specifies, primarily, setbacks.

21 And then the zoning designation does have a
22 height limitation. But the second citation, the
23 2.150.050, is a separate section that says that within
24 the zoning designations height limitations do not apply
25 to smokestacks, chimneys, cooling towers, many terms,

1 all of which would seemingly belong to the stacks on the
2 turbines.

3 So it is essentially saying we're adopting the
4 setbacks of the Industrial 3 zoning designation and
5 noting that there is an exception for the height of the
6 smokestacks.

7 MEMBER LITTLE: Thank you. I do remember you
8 telling us that now.

9 CHAIRMAN STAFFORD: So they're voluntarily
10 subjecting themselves to the setback standards of the
11 county.

12 Member Fant.

13 MEMBER FANT: Just one question to SRP.

14 If a tornado came along and knocked down one of
15 the smokestacks, it would fall on SRP property?
16 Assuming it didn't get blown 500 yards.

17 A. BY MR. McCLELLAN: Yeah, I think that's a
18 reasonable assumption, yes.

19 MEMBER FANT: Okay. All right.

20 CHAIRMAN STAFFORD: Can I get a motion to adopt
21 Condition 5 as amended?

22 MEMBER MERCER: So moved.

23 MEMBER HILL: Second.

24 CHAIRMAN STAFFORD: Further discussion?

25 (No response.)

1 CHAIRMAN STAFFORD: All in favor say aye.

2 (A chorus of ayes.)

3 CHAIRMAN STAFFORD: Opposed?

4 Hearing none, Condition 5 as amended is
5 adopted.

6 MEMBER LITTLE: Mr. Chairman, I move adoption
7 of Condition 6.

8 MEMBER HILL: Second.

9 CHAIRMAN STAFFORD: Further discussion?

10 (No response.)

11 CHAIRMAN STAFFORD: All in favor say aye.

12 (A chorus of ayes.)

13 CHAIRMAN STAFFORD: Opposed?

14 Hearing none, Condition 6 is adopted.
15 Number 7.

16 MEMBER HILL: Mr. Chair, I move approval of
17 Condition 7.

18 MEMBER MERCER: Second.

19 CHAIRMAN STAFFORD: Further discussion?

20 (No response.)

21 CHAIRMAN STAFFORD: All in favor say aye.

22 (A chorus of ayes.)

23 CHAIRMAN STAFFORD: Opposed?

24 Hearing none, Condition 7 is adopted.

25 Number 8.

1 MEMBER HILL: Mr. Chair, I move approval of
2 Condition 8.

3 MEMBER MERCER: Second.

4 CHAIRMAN STAFFORD: Further discussion?

5 I believe we made some changes to this
6 yesterday for CEC 267. If we can pull the final version
7 of that up, I think we should probably make this one
8 match it.

9 MEMBER LITTLE: I agree.

10 CHAIRMAN STAFFORD: I guess we need a motion to
11 amend Condition 8 of CEC 268 to conform with Condition 8
12 of CEC 267.

13 MEMBER HILL: So moved.

14 MEMBER LITTLE: Second.

15 CHAIRMAN STAFFORD: Further discussion?

16 (No response.)

17 CHAIRMAN STAFFORD: All in favor say aye.

18 (A chorus of ayes.)

19 CHAIRMAN STAFFORD: Opposed?

20 Hearing none, the amendment is adopted.

21 Can I get a motion to adopt Condition 8 as
22 amended?

23 MEMBER MERCER: So moved.

24 MEMBER HILL: Second.

25 CHAIRMAN STAFFORD: Further discussion?

1 (No response.)

2 CHAIRMAN STAFFORD: All in favor say aye.

3 (A chorus of ayes.)

4 CHAIRMAN STAFFORD: Opposed?

5 Hearing none, Condition 8 as amended is

6 adopted.

7 Number 9.

8 MEMBER HILL: Mr. Chair, I move approval of

9 Condition 9.

10 MEMBER MERCER: Second.

11 CHAIRMAN STAFFORD: Further discussion?

12 (No response.)

13 CHAIRMAN STAFFORD: All in favor say aye.

14 (A chorus of ayes.)

15 CHAIRMAN STAFFORD: Opposed?

16 Hearing none, Condition 9 is adopted.

17 Number 10.

18 MEMBER HILL: Mr. Chair, I move approval of

19 Condition 10.

20 MEMBER LITTLE: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 (No response.)

23 CHAIRMAN STAFFORD: All in favor say aye.

24 (A chorus of ayes.)

25 CHAIRMAN STAFFORD: Opposed?

1 Hearing none, Condition 10 is adopted.

2 Number 11.

3 MEMBER MERCER: Mr. Chairman, I move approval
4 of Condition 11.

5 MEMBER HILL: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 Hearing none, Condition 11 is adopted.

12 Number 12.

13 MEMBER HILL: Mr. Chair, I move approval of
14 Condition 12.

15 MEMBER MERCER: Second.

16 CHAIRMAN STAFFORD: Further discussion?

17 (No response.)

18 CHAIRMAN STAFFORD: All in favor say aye.

19 (A chorus of ayes.)

20 CHAIRMAN STAFFORD: Opposed?

21 Hearing none, Condition 12 is adopted.

22 Number 13.

23 MEMBER HILL: Mr. Chair, I move approval of
24 Condition 13.

25 MEMBER MERCER: Second.

1 CHAIRMAN STAFFORD: Further discussion?

2 (No response.)

3 CHAIRMAN STAFFORD: All in favor say aye.

4 (A chorus of ayes.)

5 CHAIRMAN STAFFORD: Opposed?

6 Hearing none, Condition 13 is adopted.

7 Number 14.

8 MEMBER MERCER: Mr. Chairman, I move

9 Condition 14.

10 MEMBER HILL: Second.

11 CHAIRMAN STAFFORD: Further discussion?

12 (No response.)

13 CHAIRMAN STAFFORD: All in favor say aye.

14 (A chorus of ayes.)

15 CHAIRMAN STAFFORD: Opposed?

16 Hearing none, Condition 14 is adopted.

17 Number 15.

18 MEMBER HILL: Mr. Chair, I move approval of

19 Condition 15.

20 MEMBER MERCER: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 I believe in the original they had it taken

23 out, but I guess we have the two -- well, three 230kV

24 lines coming from the units to the Marigold Substation.

25 I think we refer to them as transmission lines,

1 but we say they're not transmission lines because they
2 don't meet the statutory definition. I assume those
3 would use nonspecular conductor and nonreflective
4 surfaces for the structures the same as the rest of the
5 actual transmission line.

6 MR. DERSTINE: I'll let Ms. Laurence speak to
7 that. I think that's the development standard.

8 I would question whether it's appropriate to be
9 calling out type of finish and conductor that is going
10 to be used on a nonjurisdictional transmission line.

11 A. BY MS. LAURENCE: Yes, that's true.

12 CHAIRMAN STAFFORD: But you're going to use
13 those, though.

14 A. BY MS. LAURENCE: Yes.

15 CHAIRMAN STAFFORD: Okay. We can strike 15,
16 then.

17 MEMBER HILL: I withdraw my motion.

18 MEMBER MERCER: Second.

19 CHAIRMAN STAFFORD: Member Fant.

20 MEMBER FANT: Turning to the attorney, where
21 does nonjurisdictionality start? Does it start at the
22 fence line where the transmission line moves out and
23 beyond the property line, or does it start where the
24 transmission line interconnects within the substation?

25 MR. DERSTINE: The statute, and I can pull it

1 up, but from memory and recollection, that the
2 transmission line definition, that is the first
3 structure outside of the switchyard or substation.

4 So the structures that are within the
5 switchyard/substation plant site are not included in
6 that distance measure, and it's the first structure
7 outside the boundary of those facilities that you start
8 to then measure your mile.

9 MEMBER FANT: So then the initial portion of
10 the line would still be part of the project, which is
11 physically interconnecting on the grounds of the
12 project.

13 MR. DERSTINE: I don't know how many -- in
14 terms of how they've -- I'm sure they're not to the
15 point of having a final engineering design of those
16 gen-tie -- those 230kV gen-tie lines that are connecting
17 the turbines to the Marigold Substation. There will be
18 one or more within the 60-acre plant site, I assume, and
19 then continuing on to the Marigold Substation.

20 But in terms of the measurement and the
21 distance, that those don't meet the definition of a
22 transmission line for purposes of siting. That's why
23 they weren't included in the application.

24 MEMBER FANT: Thank you, sir.

25 CHAIRMAN STAFFORD: I put it back in to have

1 the discussion to find out that that's how -- those
2 nonjurisdictional lines, those are the finishes and the
3 structures you're going to use, so --

4 MR. DERSTINE: For the record, that's what
5 our -- according to Ms. Laurence's testimony, that that
6 indeed is how those gen-tie lines will be constructed.

7 CHAIRMAN STAFFORD: All right. So can I get a
8 motion to strike Condition 15 from Chairman's 3?

9 MEMBER LITTLE: So move.

10 MEMBER HILL: Second.

11 CHAIRMAN STAFFORD: Further discussion?
12 (No response.)

13 CHAIRMAN STAFFORD: All in favor say aye.

14 (A chorus of ayes.)

15 CHAIRMAN STAFFORD: Opposed?

16 Hearing none, Condition 15 is deleted.

17 Number 16.

18 MEMBER HILL: Mr. Chair, I move approval of
19 Condition 16.

20 MEMBER MERCER: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 MEMBER FONTES: Yes, Mr. Chairman.

23 CHAIRMAN STAFFORD: Member Fontes.

24 MEMBER FONTES: Thank you.

25 This is a natural gas power plant. That list

1 there is definitely standards for a transmission line.

2 I would like to defer to Member Comstock
3 because he's definitely added value with respect to the
4 natural gas things and he's pointed a few things out.

5 And then I would also like to ask the subject
6 matter expert with respect to air emissions if there's
7 EPA standard that we should be citing here for the air
8 emissions monitoring that might be useful for the
9 reference here.

10 MEMBER HILL: Mr. Fontes, are you talking about
11 No. 17 or No. 16?

12 MEMBER FONTES: On my screen, it's gone away.

13 CHAIRMAN STAFFORD: Well, we're going off of
14 Chairman's 3, so the numbering is not changed. If
15 you're looking at the screen, you're going to be thrown
16 off.

17 MEMBER FONTES: It's 16 on my screen,
18 Mr. Chairman.

19 CHAIRMAN STAFFORD: Yes. You need to refer to
20 Chairman's 3 because, when we do that, it doesn't
21 change.

22 Number 16 is the condition about arranging for
23 field personnel to have proper training for ingress,
24 egress, and on-site working protocols.

25 MEMBER FONTES: I am not seeing that on my

1 screen. I apologize, Mr. Chairman, I am seeing "The
2 Applicant should follow the most current WECC standards,
3 NERC reliability, FERC," for 16.

4 CHAIRMAN STAFFORD: That's 17.

5 MEMBER FONTES: Okay. That's not what is
6 appearing here, but I'll defer back to you.

7 MEMBER HILL: We'll get there.

8 CHAIRMAN STAFFORD: Condition 16 has been moved
9 and seconded.

10 Further discussion?

11 (No response.)

12 CHAIRMAN STAFFORD: All in favor say aye.

13 (A chorus of ayes.)

14 CHAIRMAN STAFFORD: Opposed?

15 Hearing none, Condition 16 is adopted.

16 Number 17.

17 MEMBER HILL: Mr. Chair, I move approval of
18 Condition 17.

19 MEMBER MERCER: Second.

20 CHAIRMAN STAFFORD: Further discussion?

21 Member Fontes, this is the one I think you were
22 meaning to speak to.

23 MEMBER FONTES: I think I've already pointed it
24 out, so I would like to get Member Comstock's input on
25 the natural gas applicability standards and then the

1 subject matter expert with respect to air emissions, if
2 there's a standard for monitoring that we need to
3 include here given the discussion that Member Fant had
4 on monitoring. Thank you, Mr. Chairman.

5 MEMBER COMSTOCK: Mr. Chairman.

6 Thank you, Member Fontes. I don't know of any
7 applicable standards that would affect Condition 17 for
8 the natural gas operations.

9 The FERC has jurisdiction over interstate
10 transmission lines, but those are -- those lines have
11 been under that condition for many, many, many years.
12 So I don't see any reason to add anything here.

13 MEMBER FONTES: Does that extend to safety?

14 MEMBER COMSTOCK: Member Fontes, the safety
15 protocols found in the regulatory compliance
16 requirements for natural gas operations are found in
17 Title 49, Parts 192 and 195. In this case, 195 is
18 transmission lines that are specifically addressed here.

19 That is a separate agency for PHMSA, the
20 pipeline -- don't hold me to this because I mess this
21 one up. It's PHMSA by acronym, so it's Pipeline and
22 Hazardous Materials Safety Administration, I believe is
23 what it is. That agency enforces the safety rules
24 around the operation of those pipelines.

25 MEMBER FONTES: Because NESC does that on the

1 electrical side and the operational it's the NERC.
2 That's why I was asking you if it's necessary to include
3 it here since this is a natural gas power plant.

4 MEMBER COMSTOCK: Member Fontes, I appreciate
5 the ask, but I think the state of Arizona oversees that
6 pipeline safety program through the Arizona Corporation
7 Commission, and those pipelines are audited each year
8 for their operational safety.

9 CHAIRMAN STAFFORD: All right. Condition 17
10 has been moved and seconded.

11 MEMBER FONTES: Mr. Chairman, the input on the
12 air emissions monitoring, if there's a standard or
13 something that should be called out given this is a
14 natural gas power plant.

15 Does the Applicant have an input on that?

16 A. BY MR. HARBIN: Thank you for your question.
17 Just to clarify, are you speaking of the air
18 emissions from the generating units?

19 MEMBER FONTES: Yes, sir. That's what this CEC
20 is about.

21 A. BY MR. HARBIN: So all of the applicable
22 requirements are identified in the Class I air quality
23 permit. There are several that the facility will be
24 subject to, and we will follow our Title V or Class I
25 permit to ensure compliance and operate in accordance

1 with any monitoring provisions from there.

2 MEMBER FONTES: And where do those standards
3 and regulations come from? Which specific agency or
4 entity?

5 A. BY MR. HARBIN: The Environmental Protection
6 Agency. Pinal County Air Quality Control Department.

7 MEMBER FONTES: Mr. Chairman, the EPA is
8 missing from here is just what I was noting. Your call
9 on whether you want to include it or not, because we do
10 reference all federal government laws and regulations
11 elsewhere in this document.

12 CHAIRMAN STAFFORD: I'm looking at -- I seem to
13 recall that would be covered by Condition 3. "The
14 Applicant will comply with all existing applicable air
15 and water pollution control standards and regulations."

16 MEMBER FONTES: This list is tailored for a
17 transmission line, Mr. Chairman. That's where I'm
18 coming at, and we're doing a power plant. So your call,
19 but I wanted to flag it just for consistency.

20 CHAIRMAN STAFFORD: Well, the way the power
21 plant interconnects to the substation into the 500kV
22 line has to comply with those standards that are in
23 Condition 17.

24 Are you suggesting we strike Condition 17? I
25 think compliance with the air permit is mandated by

1 Condition 3.

2 MEMBER FONTES: That's fine.

3 My point, again, is this is tailored for a
4 transmission line, as we've noted elsewhere. It's not
5 tailored for a power generation plant.

6 CHAIRMAN STAFFORD: We've included it with
7 every other generation that we've sited.

8 MEMBER FONTES: I don't disagree, Mr. Chairman.
9 It just seems -- it just struck me on this one.

10 CHAIRMAN STAFFORD: The plant does have, like,
11 power lines coming out of it. They're not transmission
12 lines for our purposes, but they would still be subject
13 to regulation by FAA standards for height.

14 Ms. Gilbert.

15 MS. GILBERT: I'm going to add, I do believe
16 that there are NERC standards applicable to generation
17 sources, so for the Applicant, this is -- we're okay
18 with leaving this in.

19 CHAIRMAN STAFFORD: All right.

20 MEMBER LITTLE: Mr. Chairman.

21 CHAIRMAN STAFFORD: Yes, Member Little.

22 MEMBER LITTLE: WECC considers generation and
23 NERC -- I think this belongs in here.

24 CHAIRMAN STAFFORD: All right. Condition 17
25 has been moved and seconded.

1 Further discussion?

2 (No response.)

3 CHAIRMAN STAFFORD: All in favor say aye.

4 (A chorus of ayes.)

5 CHAIRMAN STAFFORD: Opposed?

6 Hearing none, Condition 17 is adopted.

7 Number 18.

8 MEMBER MERCER: Mr. Chairman, I move approval
9 of Condition 18.

10 MEMBER HILL: Second.

11 CHAIRMAN STAFFORD: Further discussion?

12 (No response.)

13 CHAIRMAN STAFFORD: All in favor say aye.

14 (A chorus of ayes.)

15 CHAIRMAN STAFFORD: Opposed?

16 Hearing none, Condition 18 is adopted.

17 Number 19.

18 MEMBER HILL: Mr. Chair, I move approval of
19 Condition 19.

20 MEMBER MERCER: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 I think we had -- we changed the condition for
23 the prior CEC, but that was a different situation. I
24 don't think we need to do it here because here we have
25 the -- SRP is the generator who is interconnecting to

1 its own transmission system, and so it's going to have
2 to pay for upgrades that that generator requires to
3 connect to the transmission system; correct?

4 MR. DERSTINE: Yes. Ms. Gilbert will have to
5 pay those costs.

6 CHAIRMAN STAFFORD: So we don't need to change
7 this one, I don't think.

8 MEMBER LITTLE: Well, in addition, I don't
9 think we need system impact study results because that's
10 been provided. It wasn't called a system impact study,
11 but it was a feasibility study for the addition of this
12 generation into the system.

13 MS. GILBERT: I think that's a great catch,
14 Member Little.

15 So then to revise this kind of consistent with
16 how the standard language was, we would restore
17 "interconnection agreement"?

18 MEMBER LITTLE: I think that either we
19 eliminate this condition or we just ask that the
20 Applicant provide Commission staff with a copy of the
21 interconnection agreement.

22 Will you even have an interconnection
23 agreement?

24 MS. GILBERT: Yes, they will.

25 CHAIRMAN STAFFORD: Because of the OATT; right?

1 MS. GILBERT: Yes, because of our tariff.

2 MEMBER LITTLE: Then I think it's appropriate
3 to ask them to provide that to Staff.

4 MS. GILBERT: And I believe the language --
5 it's not in redline, but that existing protective
6 agreement would be adequate for the sharing of that.

7 I'm looking to Mr. McClellan to confirm.

8 A. BY MR. McCLELLAN: Yes, I confirm.

9 MS. GILBERT: So, yes, you can restore to the
10 original version and then just change -- we don't need
11 the reference to AEPCO, though.

12 CHAIRMAN STAFFORD: We've got to get AEPCO out
13 of there.

14 MS. GILBERT: Yeah. That would be really
15 confusing.

16 MEMBER LITTLE: Do we want to put anything in
17 here about any agreements with ED3? I guess that really
18 has no bearing on --

19 MS. GILBERT: Not on the generation.

20 MEMBER LITTLE: -- on the CEC.

21 MS. GILBERT: That's correct.

22 CHAIRMAN STAFFORD: The Applicant and SRP?

23 MS. GILBERT: We could add "as transmission
24 provider," or we could say "transmission provider"
25 instead of "SRP."

1 CHAIRMAN STAFFORD: Because you have two
2 departments in the same company that -- because you have
3 to have the independence of the transmission because of
4 the open access transmission tariff with FERC. You
5 can't favor your own projects over other people seeking
6 to use your transmission system.

7 MS. GILBERT: That's right.

8 CHAIRMAN STAFFORD: I think "SRP as
9 transmission provider."

10 MS. GILBERT: Okay.

11 CHAIRMAN STAFFORD: Because someone is going to
12 look at this and go, "What?"

13 MR. DERSTINE: We will probably a year from
14 now.

15 CHAIRMAN STAFFORD: Yeah. We'll have to go
16 back and read the transcript. Why did we put that in
17 there?

18 MEMBER LITTLE: Well, then is the last sentence
19 appropriate?

20 CHAIRMAN STAFFORD: I don't think so. I think
21 we can probably strike the last sentence.

22 MEMBER LITTLE: The accounting between the two
23 under OATT.

24 MS. GILBERT: Yeah, Mr. McClellan, your team
25 would be responsible to make sure that those upgrades

1 are done, but I agree. I think it can be struck.

2 A. BY MR. McCLELLAN: Yes.

3 MEMBER LITTLE: Do you want me to move?

4 CHAIRMAN STAFFORD: Yes, please.

5 MEMBER LITTLE: Mr. Chairman, I move the --

6 CHAIRMAN STAFFORD: Amendment to Condition 19?

7 MEMBER LITTLE: Amendment to Condition --

8 CHAIRMAN STAFFORD: 19. Look at the tablet.

9 The changes we make are to Chairman's 3, which is the
10 static one. Otherwise, I won't be able to tell what's
11 going on when I read the transcript later.

12 MEMBER LITTLE: I move that we modify
13 Condition 19 to read "The Applicant shall provide
14 Commission Staff with a copy of the interconnection
15 agreement," wait, wait, wait, "related to the project
16 when executed and approved by the Applicant and SRP as
17 transmission provider, which will be provided under the
18 existing protective agreement with Commission Staff, and
19 Applicant shall comply with all requirements contained
20 in the interconnection agreement, paren, S, close
21 paren." And strike the final sentence in Condition 19.

22 MEMBER HILL: I second that motion.

23 CHAIRMAN STAFFORD: Further discussion?

24 (No response.)

25 CHAIRMAN STAFFORD: All in favor say aye.

1 (A chorus of ayes.)

2 CHAIRMAN STAFFORD: Opposed?

3 Hearing none, the amendment is adopted.

4 Can I get a motion to adopt Condition 19 as
5 amended?

6 MEMBER MERCER: So moved.

7 MEMBER HILL: Second.

8 CHAIRMAN STAFFORD: Further discussion?

9 (No response.)

10 CHAIRMAN STAFFORD: All in favor say aye.

11 (A chorus of ayes.)

12 CHAIRMAN STAFFORD: Opposed?

13 Hearing none, Condition 19 as amended is
14 adopted.

15 Number 20.

16 MEMBER HILL: Mr. Chair, I move approval of
17 Condition 20.

18 MEMBER MERCER: Second.

19 CHAIRMAN STAFFORD: Further discussion?

20 (No response.)

21 CHAIRMAN STAFFORD: All in favor say aye.

22 (A chorus of ayes.)

23 CHAIRMAN STAFFORD: Opposed?

24 Hearing none, Condition 20 is adopted.

25 Number 21.

1 MEMBER HILL: Mr. Chair, I move approval of
2 Condition 21.

3 MEMBER LITTLE: Second.

4 CHAIRMAN STAFFORD: Further discussion?
5 (No response.)

6 CHAIRMAN STAFFORD: All in favor say aye.
7 (A chorus of ayes.)

8 CHAIRMAN STAFFORD: Opposed?
9 Hearing none, Condition 21 is adopted.
10 Number 22.

11 MEMBER HILL: Mr. Chair, I move approval of
12 Condition 22.

13 MEMBER MERCER: Second.

14 CHAIRMAN STAFFORD: Further discussion?
15 (No response.)

16 CHAIRMAN STAFFORD: All in favor say aye.
17 (A chorus of ayes.)

18 CHAIRMAN STAFFORD: Opposed?
19 Hearing none, Condition 22 is adopted.

20 MEMBER MERCER: Mr. Chairman, I move
21 Condition 23.

22 MEMBER HILL: Second.

23 CHAIRMAN STAFFORD: Not so fast. It looks like
24 we have a numbering error on Chairman's 3 where we have
25 the transfer requirement condition has no number.

1 MEMBER HILL: I thought it was part of 22. I
2 misunderstood.

3 CHAIRMAN STAFFORD: Okay. So let's -- we'll
4 call that Condition 22.2. It's mistakenly not numbered.

5 MEMBER LITTLE: Mr. Chairman, I move adoption
6 of Condition 22.2.

7 MEMBER MERCER: Second.

8 CHAIRMAN STAFFORD: Further discussion?

9 (No response.)

10 CHAIRMAN STAFFORD: All in favor say aye.

11 (A chorus of ayes.)

12 CHAIRMAN STAFFORD: Opposed?

13 Hearing none, the missing number known as
14 paragraph -- known as 22.2 is adopted.

15 Number 23.

16 MEMBER HILL: Mr. Chair, I move approval of
17 Condition 23.

18 MEMBER MERCER: Second.

19 CHAIRMAN STAFFORD: Further discussion?

20 (No response.)

21 CHAIRMAN STAFFORD: All in favor say aye.

22 (A chorus of ayes.)

23 CHAIRMAN STAFFORD: Opposed?

24 Hearing none, Condition 23 is adopted.

25 Number 24.

1 MEMBER MERCER: Mr. Chairman, I move

2 Condition 24.

3 MEMBER HILL: Second.

4 CHAIRMAN STAFFORD: Further discussion?

5 (No response.)

6 CHAIRMAN STAFFORD: All in favor say aye.

7 (A chorus of ayes.)

8 CHAIRMAN STAFFORD: Opposed?

9 Hearing none, Condition 24 is adopted.

10 Number 25.

11 MEMBER HILL: Mr. Chair, I move approval of

12 Condition 25.

13 MEMBER MERCER: Second.

14 CHAIRMAN STAFFORD: Further discussion?

15 I believe this is also addressed in Condition

16 5.b.

17 MEMBER LITTLE: Mr. Chairman.

18 CHAIRMAN STAFFORD: There's some overlap
19 between the two, but they're not completely the same.

20 Member Little.

21 MEMBER LITTLE: I originally said that I
22 thought we needed both. And in rereading 25 now, I'm
23 not sure we do.

24 The National Fire Protection Association codes
25 were not mentioned in 5; correct?

1 CHAIRMAN STAFFORD: Right.

2 MEMBER LITTLE: I don't know. I don't have a
3 problem with just leaving it in, but I also don't have a
4 problem with having only one or the other as long as we
5 do reference the National Fire Protection Association
6 codes and standards in whatever is left.

7 CHAIRMAN STAFFORD: All right. I'm looking to
8 the Applicant. Mr. Derstine or Ms. Gilbert, should we
9 try to merge these two conditions, or are we going to go
10 with the belt-and-suspenders approach?

11 MR. DERSTINE: As I've gotten older, I've
12 always been a fan of belt and suspenders.

13 I think there is some overlap as you indicated,
14 Mr. Chairman, but I do think there's some differences
15 here. So I think the Applicant is fine with keeping
16 both provisions and that makes sure that we cover all
17 the issues relating to fire protection and services.

18 CHAIRMAN STAFFORD: I'm assuming you prefer not
19 to wordsmith the two to meld into one at this particular
20 point in time.

21 MR. DERSTINE: That's an overriding
22 consideration.

23 CHAIRMAN STAFFORD: All right. Condition 25
24 has been moved and seconded.

25 Further discussion?

1 MEMBER COMSTOCK: Mr. Chairman.

2 CHAIRMAN STAFFORD: Yes, Member Comstock.

3 MEMBER COMSTOCK: I don't want to muddy the
4 waters too much --

5 CHAIRMAN STAFFORD: But you're going to.

6 MEMBER COMSTOCK: The NFPA codes and standards
7 generally speak to beyond the meter for the plant
8 itself, the operational plant itself.

9 Title 49, Part 192.616 talks about public
10 awareness and education on response to emergencies on
11 natural gas pipelines. That program would directly
12 impact the northern part of the property where the
13 pipeline intersects and will be tapped -- the natural
14 gas pipeline will intersect and be tapped to provide
15 service to the power plant.

16 I don't know if you want to add that piece to
17 this condition. It's not a duplicate, because it
18 addresses outside agencies, like, again -- well, it
19 could be similar because it's the same fire departments
20 or emergency response people, but it is a different
21 regulation.

22 And so I think we talked earlier this week
23 about coordinating with local agencies on their
24 requirements to conform to that. I'm comfortable either
25 way, putting it in or leaving it out, but I think it had

1 to be noted for the record that there is another
2 regulation.

3 CHAIRMAN STAFFORD: And this would cover that?
4 This would require --

5 MEMBER COMSTOCK: Well, again, NFPA usually
6 speaks beyond the meter in the plant itself. The
7 192.616 focuses on the pipeline operations and the
8 response by emergency agencies on fire or explosions on
9 the pipeline, how they would adapt to that.

10 But because this is directly on the property of
11 the Applicant, I think there's some combined
12 responsibility here, and so that's why I'm bringing it
13 up.

14 MR. DERSTINE: I guess, Member Comstock, if I'm
15 reading that first sentence where it says "Applicant
16 shall comply with all applicable National Fire
17 Protection Association codes and standards for all
18 components of the project," I think the way we've
19 defined the project would be separate and apart from the
20 natural gas pipeline connection up to the metering
21 station. Am I thinking about that correctly?

22 MEMBER COMSTOCK: Sir, I would agree with you
23 in 99.9 percent of the cases. But because of the
24 location of the pipeline on the property, I think it
25 adds a little bit of nuance to the regulation itself.

1 That's my opinion. That's why I was bringing it before
2 the committee.

3 CHAIRMAN STAFFORD: So I guess to that issue, I
4 mean, we have -- looking at the map on the front of
5 placemat, there's the -- it shows the natural gas.
6 Those are the interstate pipelines passing through the
7 top part of the plant site that -- was it 60 acres?
8 Yeah.

9 Will it be -- will those pipelines bisect the
10 plant site like that or it would be -- are you going to
11 actually move that plant site south of those lines and
12 have a small spur come off of them into the meter on
13 your property where it would -- well, it's going to be
14 on your property because you bought the parcel where
15 it's at.

16 But I'm just saying with the project site, will
17 the fence line -- will those pipelines be within the
18 fence line of the power plant site?

19 MS. GILBERT: Ms. Laurence, can you answer
20 that?

21 A. BY MS. LAURENCE: Yes. I haven't read the
22 easements that the gas companies have on the property,
23 but typically we wouldn't fence in the easement area.
24 So I do believe the fence line would be south of the
25 easement areas and they would remain clear.

1 MS. GILBERT: And, Member Comstock, I do think
2 that standard Condition No. 3 would obligate us to
3 comply with any applicable federal law, including those
4 that would concern the pipeline and maybe some overlap
5 in our obligations in working with that pipeline.

6 MEMBER COMSTOCK: Okay. And just from my
7 background and experience, most pipelines and taps that
8 occur in this kind of area, it remains outside the fence
9 line along with the meter set, and then the outlet
10 piping of the meter set goes onto property and becomes
11 owned by the project itself.

12 So I think SRP's history is to let the
13 pipelines operate the tap and the service line to the
14 meter set. And then beyond that, it becomes -- if
15 that's how it's designed, I don't think you need to
16 address it. But if it does go inside the wall, I think
17 it's going to change the focus of applying that
18 regulation to the operation.

19 MR. DERSTINE: I guess, Mr. McClellan, or
20 Ms. Laurence, does the design comply with the design or
21 the features that Member Comstock just described in
22 terms of being outside of the perimeter or the wall for
23 the plant?

24 A. BY MR. MCCLELLAN: Yes. I think the design
25 will reflect what Member Comstock described. So you

1 would have the large interstate natural gas pipeline.
2 You would tap that pipeline. There would be a short
3 lateral that would come into the metering yard that
4 would be fenced and that would be owned and operated by
5 Transwestern and El Paso. From that point, it would
6 come outside of that fence line onto SRP's property and
7 then feed the units.

8 CHAIRMAN STAFFORD: Right. Because you're
9 going to connect to both El Paso and Transwestern
10 pipelines for the plant; right? You'll have two sources
11 of gas?

12 A. BY MR. McCLELLAN: Yes, that's the plan.

13 MEMBER COMSTOCK: Mr. Chairman, that would
14 satisfy the issue if that occurs.

15 CHAIRMAN STAFFORD: All right. Condition 25
16 has been moved and seconded. We don't need to make any
17 changes.

18 Further discussion?

19 (No response.)

20 CHAIRMAN STAFFORD: All in favor say aye.

21 (A chorus of ayes.)

22 CHAIRMAN STAFFORD: Opposed?

23 Hearing none, Condition 25 is adopted.

24 Number 26.

25

1 MEMBER HILL: Mr. Chair, I move approval of
2 Condition 26.

3 MEMBER MERCER: Second.

4 CHAIRMAN STAFFORD: Further discussion?

5 MEMBER LITTLE: Mr. Chairman.

6 CHAIRMAN STAFFORD: Member Little.

7 MEMBER LITTLE: I'm wondering if we want to add
8 something in here about restoring the property. We were
9 just talking -- and normally an Applicant has some
10 obligation under somebody, county, state lands, to
11 restore the property. In this case, I don't believe the
12 Applicant does. I may be wrong.

13 I would like to see the Applicant do something
14 other than just dispose and recycle the project
15 equipment.

16 MS. GILBERT: Member Little, I think I
17 understand where you're coming from, but I would ask
18 Mr. McClellan or Ms. Laurence to speak to maybe the
19 concept that after this project's useful life, there
20 could be an interest in SRP repurposing that land for
21 another project. And so an obligation to restore it to
22 farm acreage might frustrate or limit future
23 opportunities to do something productive with it.

24 MEMBER LITTLE: That makes sense.

25 CHAIRMAN STAFFORD: Right. And there's not

1 going to be the water rights associated with it, either,
2 for farming once it's converted to the Class I.

3 MEMBER LITTLE: And it's also private property,
4 so okay.

5 CHAIRMAN STAFFORD: They own it outright. It's
6 not a lease from the land department or somebody else.

7 MEMBER LITTLE: BLM or -- okay. Thank you.

8 CHAIRMAN STAFFORD: That reminds me, I thought
9 I had one outstanding question about the water right
10 conversions from -- what it was for the entirety of the
11 SRP-controlled property on the placemat.

12 MS. GILBERT: Mr. McClellan, I think you
13 answered that. Do you remember?

14 A. BY MR. MCCLELLAN: Yeah. We talked about the
15 look that we did at what the existing use was for the
16 property, which of the 5,000 acres that we acquired, we
17 made an assumption that -- well, not an assumption. We
18 identified that about 4,600 acres of that property was
19 or is being used for agricultural purposes today.

20 So if we estimate about 4 acre-feet per acre
21 for agricultural uses, that's around 19,000 acre-feet on
22 an annual basis for existing uses today. If we look at
23 the maximum use of 206 for the proposed facility or the
24 projected use of 80 acre-feet, that represents about a
25 99 percent reduction from the existing use today.

1 CHAIRMAN STAFFORD: And that was the reduction
2 from the prior right to your planned usage to the
3 credits; right?

4 A. BY MR. McCLELLAN: And that's -- I want to make
5 sure that it's clear I'm not representing that that's
6 the prior right. We're making an estimate on what the
7 existing use is today because it's all in agricultural.
8 It could be a little less than that. We just made an
9 estimate of about 4 acre-feet per acre for agricultural
10 use.

11 CHAIRMAN STAFFORD: And what was the class --
12 what would be the new right under the -- if you were
13 to -- for the Class I conversion? It's more than 206
14 for that entire 5,000 acres; right?

15 A. BY MR. McCLELLAN: That's correct. I would
16 assume that that conversion would result in more if you
17 went from the irrigation grandfathered right to a
18 Type I. It would be more than 206. I don't know what
19 that conversion calculation is.

20 CHAIRMAN STAFFORD: Okay. That was the apples
21 to apples thing that I was looking for. And then from
22 that, whatever that right would be, you're going to not
23 use any of that. You're just going to use the 206
24 maximum, typically 80, I think, 82 maybe. And that's
25 going to be all the banked credits, long-term storage

1 credits, not even groundwater, because that's separate
2 from that.

3 A. BY MR. McCLELLAN: Yeah. So I think if you're
4 comparing what's being utilized today, we made an
5 estimate of about 19,000 acre-feet. Where we're going
6 to install solar and storage, that will no longer be
7 used for agricultural purposes, so, essentially, you go
8 to almost zero there.

9 CHAIRMAN STAFFORD: Okay.

10 A. BY MR. McCLELLAN: Then we'll be using a
11 projected 80 acre-feet at the natural gas site. So it's
12 a significant reduction of where the use is at today.

13 CHAIRMAN STAFFORD: Okay. Member Little.

14 MEMBER LITTLE: Thank you, Mr. Chairman.

15 Would you actually -- since you're not going to
16 use those water rights, would you actually transfer them
17 to industrial water rights, or would you possibly just
18 leave them as they stand so that if sometime in the
19 future the land went back to being farmed, it could be?

20 A. BY MR. McCLELLAN: My understanding, Member
21 Little, is that if you aren't actively farming, you
22 could forfeit those rights.

23 MEMBER LITTLE: That's true. Yes, thank you.

24 A. BY MR. McCLELLAN: So I think SRP will be
25 looking very closely and evaluating what we'll be doing

1 with those rights. We haven't made that determination
2 yet, but we'll be evaluating how they might be used for
3 SRP and SRP's customers.

4 CHAIRMAN STAFFORD: I can't hear what you're
5 saying. Your mic is cutting out or something.

6 MR. DERSTINE: Yeah, can you pull your mic
7 closer to you, Mr. McClellan.

8 A. BY MR. McCLELLAN: So as I mentioned, if you're
9 not using those water rights for active agricultural
10 uses, there is the possibility that those rights get
11 forfeited.

12 So SRP will be looking at those water rights
13 and evaluating the best overall use of those for SRP
14 customers, and we have not made that determination at
15 this time.

16 CHAIRMAN STAFFORD: So you're going to have
17 some amount of groundwater rights related to this
18 property. You don't know the extent of those yet or
19 what they'll be used for ultimately.

20 A. BY MR. McCLELLAN: That's correct.

21 CHAIRMAN STAFFORD: Okay. That was kind of
22 what I was hoping to find out was what that was going to
23 be. Because you haven't done -- you haven't calculated
24 the math for that because you don't -- because you
25 estimated what the current water rights are, but those

1 are all going to change because it's not going to be
2 farmed anymore, but that won't -- well, some of the lack
3 of being farmed, that's not going to happen until --
4 because you bought the property, but the people are --
5 it's subject to a lease for people, so they've got until
6 that lease expires, then it stops being used for
7 agriculture, then that water right would be converted to
8 the Class I.

9 A. BY MR. McCLELLAN: It could be, yes.

10 CHAIRMAN STAFFORD: Okay. I don't know. Is
11 that something we want to have them report, or would
12 that be covered by the -- no, it won't. Because the
13 prior condition is just going to talk about the use at
14 the plant from the banked credits; right?

15 MR. DERSTINE: I think the regular reporting
16 requirement is to comply with ADWR regulations
17 concerning the use of the long-term storage credits. I
18 think that was covered in Ms. Mora's testimony, and I
19 think, yes, and we've referenced that, I think,
20 elsewhere, but those reports we'll file.

21 Did we also say that we're going to include
22 those reports on the website along with all the things
23 that we're including on the website?

24 A. BY MR. McCLELLAN: Yes.

25 MR. DERSTINE: Ms. Gilbert is showing me that

1 we have an obligation that the Applicant will make
2 available through the project website water use for
3 construction and the annual water withdrawal and use
4 report filed with ADWR.

5 CHAIRMAN STAFFORD: Right. But that won't --
6 that's not going to cover what we're talking about here
7 about the existing water rights that are going to get
8 converted to Class I and what happens to those. That's
9 not addressed at all in 5.1; right? That's just talking
10 about the usage for the construction, what you're going
11 to get from the district, not from this groundwater,
12 though; right?

13 The district gets it where it gets it from. I
14 guess it's probably going to be groundwater; right?
15 Because they kind of lost their surface water; correct?

16 MS. GILBERT: You're asking if there's a
17 condition now that would obligate SRP to communicate
18 with the public our intentions for the water rights we
19 have once we determine our plan?

20 CHAIRMAN STAFFORD: Yeah. I mean, I guess you
21 could retire it; right? But that seems unlikely to
22 totally get rid of all of it.

23 MS. GILBERT: I think that there's a universe
24 of options that we just haven't explored yet on what to
25 do with the groundwater rights.

1 CHAIRMAN STAFFORD: And whatever you do, DWR is
2 going to know what it is.

3 MS. GILBERT: And we would have to report it to
4 DWR. And depending on the plan, potentially get their
5 approval.

6 CHAIRMAN STAFFORD: Okay. We were on -- I kind
7 of sidetracked there. We were talking about 26. I
8 don't think any of that would be put into there.

9 MEMBER LITTLE: No. I think we're still on 25,
10 aren't we?

11 CHAIRMAN STAFFORD: No. We're on 26, project's
12 useful life. So that's been moved and seconded.

13 Further discussion?

14 (No response.)

15 CHAIRMAN STAFFORD: All in favor say aye.

16 (A chorus of ayes.)

17 CHAIRMAN STAFFORD: Opposed?

18 Hearing none, Condition 26 is adopted.

19 No. 27.

20 MEMBER HILL: Mr. Chairman, I move approval of
21 Condition 27.

22 MEMBER LITTLE: Second.

23 CHAIRMAN STAFFORD: Further discussion?

24 Is this covered by an earlier condition?

25 MEMBER LITTLE: I think it's also in 5, isn't

1 it?

2 CHAIRMAN STAFFORD: I think so. It's in a
3 couple of places.

4 MS. GILBERT: I think it may also be in 3.

5 MEMBER HILL: I'll withdraw my motion then.

6 CHAIRMAN STAFFORD: Hang on. Not so fast.
7 Let's see.

8 Yeah. Because 5.b talks about the spill
9 prevention, containment, and emergency response. And
10 then 3.e is regulations for storage and handling of
11 hazardous chemicals and petroleum products.

12 I think this is more looking at -- I think at
13 the aqueous ammonia.

14 MEMBER HILL: We have plenty of conditions.
15 I'm okay with not having this last one.

16 CHAIRMAN STAFFORD: Yeah, I'm just trying to
17 think. There's no applicable local regulations anyway
18 for SRP; right?

19 MEMBER HILL: That's right.

20 MS. GILBERT: Correct.

21 CHAIRMAN STAFFORD: It seems like we could
22 probably remove this condition.

23 MEMBER FANT: Yes. Things like Saint Thomas
24 Aquinas' admonition to do good and avoid evil. You
25 could strike it.

1 CHAIRMAN STAFFORD: Okay. Is that a motion to
2 strike 27?

3 MEMBER FANT: I move to strike Condition 27
4 from the proposed CEC.

5 MEMBER HILL: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 Hearing none, Condition 27 is stricken.

12 Now, is there any other conditions we want to
13 add? I know the Applicant has said that they're not
14 going to use any groundwater for the operation of the
15 plant and it will be all long-term storage credits.

16 Is that worth putting in as a condition to hold
17 them to it?

18 Member Fant.

19 MEMBER FANT: No, but there should be a
20 clarification because there's pumped groundwater in
21 MSIDD's system.

22 So you might have "The Applicant shall not pump
23 groundwater for use on their system," rather than just
24 "use." Because technically, a lot of the water in the
25 MSIDD water system was pumped groundwater.

1 CHAIRMAN STAFFORD: Right, but that's under the
2 500 acre-feet they intend to use over the three-year
3 construction period. Once the plant is in operation, it
4 will only use the water from the long-term storage
5 credits from the well on the property that's -- it would
6 be -- what do they call it? It's the extraction well.
7 That's what it does.

8 MEMBER HILL: Mr. Chair, is it worth putting
9 something about the water in the project description?
10 Because it's part of the application and it was
11 identified as a maximum and how the credits would be
12 used. So maybe just include a statement in the project
13 description.

14 MEMBER LITTLE: I think that would be a good
15 idea. We could also -- I would like to see something
16 about operation of the plant capacity factor, put that
17 in the project description also.

18 CHAIRMAN STAFFORD: Or would you put it in 5?
19 Because that's like under the -- it says -- it's design,
20 construct, and develop the facilities. Well, this is
21 about operation, not necessarily those things.

22 MEMBER LITTLE: We could say -- we can
23 change 5.

24 CHAIRMAN STAFFORD: Right.

25 MEMBER LITTLE: Design, construct, develop, and

1 operate.

2 CHAIRMAN STAFFORD: Yeah.

3 MEMBER HILL: I think putting it in the project
4 description because it was all part of the application
5 makes sense. And they already discussed in the
6 project's description that the thermal plant will
7 operate as a peaking facility. We could just say with a
8 capacity factor not to exceed this amount.

9 I think there's less wordsmithing if we just
10 drop something into the project description which
11 already contemplates a lot of features that we're
12 talking about.

13 CHAIRMAN STAFFORD: Yeah. Those are things
14 that the Applicant said that they're going to do anyway.
15 I think the 40 percent capacity factor is limited
16 because of their air permit.

17 And then they have voluntarily said they're not
18 going to use groundwater. They're only going to use the
19 long-term storage credits for the operation of the
20 plant.

21 MS. GILBERT: Mr. Harbin, I saw you reach for
22 your mic.

23 A. BY MR. HARBIN: I was just going to confirm,
24 yes, that the 40 percent capacity factor will be
25 included in the air permit.

1 CHAIRMAN STAFFORD: Okay. Yeah, I think it
2 makes sense to put it in the project description, then.

3 Member Fant.

4 MEMBER FANT: Thank you, Mr. Chair.

5 But I assume you can exceed that capacity in an
6 emergency? Is that in the permit too?

7 CHAIRMAN STAFFORD: It's the total overall
8 limit. How you get there varies.

9 But my understanding is the capacity factor is
10 an approximation based on assumptions of number of
11 starts and stops and run duration times. So you could
12 run -- and is it an annual basis or is it a rolling
13 average over time?

14 A. BY MR. HARBIN: There's two ways we have to
15 look at, a 12-month rolling basis and then also a three
16 calendar year average.

17 MEMBER FANT: Do you have the power in an
18 emergency to run the plant beyond 40 percent?

19 A. BY MR. HARBIN: Not specifically called out in
20 the permit itself.

21 MEMBER FANT: So you would have to go back to
22 EPA and ask permission.

23 A. BY MR. HARBIN: Correct.

24 MEMBER FANT: Okay. Thank you.

25 MEMBER LITTLE: But you can run the plant full

1 out for several hours and then not run it for a while;
2 right? I mean, it's an average.

3 A. BY MR. HARBIN: That is correct, yes.

4 MEMBER LITTLE: Okay.

5 CHAIRMAN STAFFORD: Right. So if you had to
6 run it every day in the summertime, you could not run it
7 for months at a time during the winter and you would
8 still comply with the 40 percent capacity factor limit;
9 right?

10 A. BY MR. HARBIN: That is correct, yes.

11 CHAIRMAN STAFFORD: Isn't that typically how
12 SRP would do it?

13 A. BY MR. HARBIN: That is typically the operation
14 of a peaking unit is during peak operation, both in the
15 summer and wintertime.

16 MEMBER FANT: Don't forget the solar.

17 CHAIRMAN STAFFORD: All right. So, Member
18 Hill, did you want to go back to the project description
19 and add some clarifying language there?

20 MEMBER HILL: Yeah, but I'm not an attorney.

21 I think on my page it's Line 19 that starts
22 with "The thermal plant will operate as a peaking
23 facility." If we're putting a capacity factor, it could
24 go there.

25 And then we could just add a sentence about the

1 water use associated with the project comes from X-Y-Z
2 credits.

3 CHAIRMAN STAFFORD: Or how about something that
4 says that "During the operations, the project will not
5 use any groundwater but will only use long-term storage
6 credits to supply the needs of the plant," something to
7 that effect?

8 MEMBER HILL: Yeah, I'm hesitant -- I try to
9 say things affirmatively like "The project will operate
10 based on these many credits," and not discuss the
11 groundwater, but that's up to you. You guys are the
12 attorneys.

13 CHAIRMAN STAFFORD: I mean, people were talking
14 a lot about groundwater, and it's like, well, they're
15 not even going to use groundwater. They're using the
16 credits which is a legal and separate thing.

17 And they said they're not going to use
18 groundwater at all for the operation of the plant.
19 That's my recollection of the testimony. Is that not
20 correct?

21 MS. GILBERT: That is what the testimony
22 supported.

23 I think I do tend to agree with Member Hill and
24 kind of saying the affirmative intention. And also
25 because there could be opportunities years down the road

1 to perhaps use other forms of renewable water, and so
2 maybe that's the broader umbrella to put it all under
3 is --

4 CHAIRMAN STAFFORD: Well, the testimony was
5 that it's only ever going to use long-term storage
6 credits and that there's 16,000 credits in the bank,
7 which is way -- based on the -- I think we did the math.
8 I don't recall what it was, but that's well beyond the
9 useful life of the plant for -- the needs of the useful
10 life of the plant for all the water it could use.

11 MS. GILBERT: That's right, and that is the
12 intention.

13 I might be just thinking in hypotheticals. But
14 if there was an opportunity one day to use effluent like
15 we do at other plants, maybe it would be of interest to
16 SRP to do that here and then have those credits saved
17 for later future use. And I'm speaking in
18 hypotheticals, but sort of to build in the operational
19 flexibility in the CEC so that we can --

20 CHAIRMAN STAFFORD: Effluent. That's going to
21 be quite a ways off. I mean, the largest water user
22 is -- what? -- the district. But they don't -- they're
23 not a wastewater treatment. They're just irrigation.

24 MS. GILBERT: This is all, as I say, speaking
25 in hypotheticals, sort of future thinking 15, 20 years

1 from now, if there were an opportunity, would we be
2 precluded from taking -- participating in that
3 opportunity because our CEC says only long-term storage
4 credits.

5 CHAIRMAN STAFFORD: Well, you could -- yeah,
6 but you could take the effluent and use it to -- for
7 irrigation in lieu of pumping and turn those into
8 long-term storage credits, could you not?

9 MS. GILBERT: I think the county and banking
10 process with ADWR -- I don't know if our ADWR rep is on,
11 but --

12 CHAIRMAN STAFFORD: He's not.

13 MS. GILBERT: But I imagine there's a lot more
14 to it. It might not be that simple.

15 Again, this is very forward-thinking and big
16 picture. But to the extent we can have language here
17 that gives SRP flexibility for a future state, I think
18 that would be the Applicant's preference.

19 CHAIRMAN STAFFORD: Let me see here.

20 Member Fant.

21 MEMBER FANT: Thank you, Mr. Chair.

22 People wheel and deal in water rights all the
23 time. So if they have 16,000 in long-term storage
24 credits, I would add two words to that phrase: "Right
25 now." Because there may be a deal out there somewhere

1 where you traded 8,000 of your storage credits for
2 1.5 acre-feet of some reclaimed water, or whatever it
3 may be.

4 CHAIRMAN STAFFORD: Well, that's because you're
5 doing it in the affirmative and not in the negative. If
6 you say you're not going to use groundwater, that means
7 you can use effluent and you can use the credits.

8 MEMBER FANT: There's a lot of wheeling and
9 dealing that goes on in water rights.

10 MEMBER HILL: Mr. Chair.

11 CHAIRMAN STAFFORD: Okay. We can say -- let's
12 see. I'm looking at the Santan expansion CEC, and it
13 says "Applicant will use only SRP surface water, CAP
14 water, or effluent water for cooling and power plant
15 purposes."

16 So if it says "Applicant will only use
17 long-term storage credits, CAP water," to the extent
18 that's going to be available, "or effluent water for
19 cooling and power plant purposes."

20 MS. GILBERT: I'm looking to Mr. McClellan. We
21 might -- can you type that in so we can see it on the
22 screen. And then I'm not sure. We might need a break
23 to round table.

24 And also, if now is an okay, I think there's
25 one administrative thing, looking at the clock, that I

1 would like to note.

2 Your rooms are here and available to you, but
3 there are two of you, our court reporter and Member
4 Little, who will need to move to another room before
5 1:00.

6 CHAIRMAN STAFFORD: Pardon me?

7 MS. GILBERT: They would need to move to
8 another room by 1:00.

9 CHAIRMAN STAFFORD: Oh, you're talking about
10 the hotel?

11 MS. GILBERT: Oh, yes, yes. The hotel room.

12 CHAIRMAN STAFFORD: Okay. Yeah.

13 MS. GILBERT: I'm so sorry. I just want to
14 make sure that they have enough time to eat lunch and --

15 CHAIRMAN STAFFORD: Okay. We're going to take
16 a recess pretty soon. Okay. I'm, like, you're talking
17 about writing out the thing and people having to move
18 from this room, and I'm like --

19 MS. GILBERT: No, no, no. I was looking at the
20 clock and was -- I wanted to flag that they would need
21 some time to move their room. It's almost lunchtime. I
22 think we would benefit from a break to talk about the
23 language Ms. Maser is putting up.

24 CHAIRMAN STAFFORD: Okay. Okay. You want to
25 take a break.

1 MS. GILBERT: Yes, please.

2 CHAIRMAN STAFFORD: All right. So, yeah, it is
3 12:07. Let's take our lunch recess and come back at
4 1:10.

5 We stand in recess.

6 (A recess was taken from 12:07 p.m. to
7 1:15 p.m.)

8 CHAIRMAN STAFFORD: Let's go back on the
9 record.

10 We're going to put Chairman's 4 on the screens.

11 MS. GILBERT: Chairman Stafford.

12 CHAIRMAN STAFFORD: I was going to propose that
13 we add a new Condition 27.

14 MS. GILBERT: I believe we have put it here. I
15 apologize. We maybe didn't catch that as Member Hill
16 had suggested putting it in the project description.

17 CHAIRMAN STAFFORD: Right. She was talking
18 about doing that with the capacity factor.

19 MEMBER LITTLE: No. She was talking about
20 doing that with the water, not the capacity factor.

21 CHAIRMAN STAFFORD: Well, I was talking about
22 doing the water as a condition, not in the description.

23 MEMBER LITTLE: She pointed out that if we have
24 it as a condition or if we put it in 5, there's more of
25 a chance that the Commission will eliminate it, and we

1 would like to see it in there.

2 CHAIRMAN STAFFORD: All right. I'm going to
3 propose that it's a condition for the water. That's
4 what the testimony they gave was that they're only going
5 to use the storage credits for the use of the plant, and
6 now they want to keep the effluent open.

7 So that seems fine, but I think it should be a
8 condition, a separate condition from 5.

9 MEMBER LITTLE: Okay.

10 CHAIRMAN STAFFORD: And then when Member Hill
11 gets back on, we can talk about what she wants to add
12 about the capacity factor in the project description.
13 Because that's set by the air permit.

14 MEMBER LITTLE: That we can do with or without
15 her.

16 CHAIRMAN STAFFORD: Right.

17 In the meantime, I'm proposing that we add a
18 new Condition 27.

19 MS. GILBERT: I will maybe just reiterate, I do
20 believe that the Applicant's preference is to have it as
21 a part of the description supported by testimony as
22 opposed to a condition.

23 I do hear what you're saying, Chairman
24 Stafford, but I would like to just offer that or at
25 least have that on the record.

1 CHAIRMAN STAFFORD: All right. Well, I'm
2 proposing a condition, so let's see what that looks
3 like. This is 27.

4 And there needs to be an "only" before the
5 "SRP."

6 MS. GILBERT: We have used this language that
7 matches -- I believe you referenced the Santan expansion
8 project, which says SRP surface water.

9 I think a simple change here would be to delete
10 "SRP" instead of -- so that would be use surface water.
11 We would only use water if we have a right to it, so I
12 don't think there's value in designating SRP surface
13 water.

14 CHAIRMAN STAFFORD: It's superfluous?

15 MS. GILBERT: It's superfluous, so we can
16 strike it.

17 CHAIRMAN STAFFORD: That's fine. I just took
18 what was in the CEC for Santan.

19 All the concerns that we've heard about the
20 groundwater, it should silence any critics about the
21 plant's use of groundwater.

22 MEMBER LITTLE: Mr. Chairman, I move that we
23 add a condition. Is that appropriate here?

24 CHAIRMAN STAFFORD: Yes.

25 MEMBER LITTLE: That we add Condition 26.

1 CHAIRMAN STAFFORD: 27.

2 MEMBER LITTLE: 27, reading "The Applicant will
3 use only surface water, long-term storage credits,
4 Central Arizona Project, in parens, CAP, water or
5 effluent water for cooling and power plant purposes."

6 MEMBER HILL: Second.

7 CHAIRMAN STAFFORD: Further discussion?

8 Was there a comment from someone?

9 MS. GILBERT: From the Applicant. I don't know
10 if that's -- can I interject here?

11 CHAIRMAN STAFFORD: Certainly.

12 MS. GILBERT: I was going to ask, if there's --
13 no. I think I answered my own question. I'm sorry.
14 Please proceed.

15 CHAIRMAN STAFFORD: All right. Further
16 discussion?

17 (No response.)

18 CHAIRMAN STAFFORD: All in favor say aye.

19 (A chorus of ayes.)

20 CHAIRMAN STAFFORD: Opposed?

21 Hearing none, the new Condition 27 is adopted.

22 All right. Now, Member Hill, you wanted to add
23 something about the capacity factor in the project
24 description.

25 MEMBER HILL: I did not. I was responding

1 to -- well, I mean, I was just saying that that's --

2 MEMBER LITTLE: That was my suggestion,
3 Mr. Chairman.

4 MEMBER HILL: Yeah.

5 CHAIRMAN STAFFORD: Okay.

6 MEMBER HILL: It's not that I'm opposed to it.
7 It's just that that's where I thought it should go if
8 we're going to do that.

9 MEMBER LITTLE: Mr. Chairman, do we have to
10 move to reopen the project description?

11 CHAIRMAN STAFFORD: Yes.

12 MEMBER LITTLE: I move to reopen the project
13 description.

14 MEMBER HILL: Second.

15 CHAIRMAN STAFFORD: Further discussion?
16 Propose your amendment.

17 MEMBER LITTLE: Pardon me?

18 CHAIRMAN STAFFORD: Please propose your
19 amendment.

20 MEMBER LITTLE: On Line 20 of Page 2 --

21 CHAIRMAN STAFFORD: Of Chairman 3.

22 MEMBER LITTLE: -- of Chairman's 3, after the
23 comma following the word "facility," put "up to a
24 capacity factor of 40 percent, comma, enhancing firm
25 dispatchability," and then continue on that way.

1 I don't believe we need a time period. I think
2 a capacity factor of 40 percent is sufficient.

3 However -- oh, Member Fontes is not online.

4 Mr. McClellan, do you think we need measured
5 annually or measured -- averaged over a three-year
6 period or --

7 A. BY MR. McCLELLAN: The Applicant would prefer
8 not to have a capacity factor in here.

9 However, if we must have one, we would ask for
10 two things to be added here. One would be to average
11 that over a five calendar year period and then to have
12 an exemption in times of emergencies. So if we had to
13 exceed because we had a reliability emergency, we would
14 be allowed to do that.

15 CHAIRMAN STAFFORD: Because I thought it was on
16 either a 12-month rolling average or three-year rolling
17 average based on the air permit.

18 MEMBER LITTLE: I think it should be consistent
19 with what the air quality permit is.

20 CHAIRMAN STAFFORD: Because this is descriptive
21 and not an additional limitation; correct?

22 MEMBER LITTLE: That's correct.

23 And I think it should be consistent with the
24 air quality permit.

25 And I guess I have a difficult time imagining

1 an emergency -- I mean, I suppose it could happen, but
2 an emergency that would require you to operate over
3 40 percent for three years.

4 A. BY MR. McCLELLAN: I was thinking of a
5 situation where we had a combustion turbine failure at
6 another facility, and those have a four-year lead time
7 now. Something like that. I don't think that's very
8 likely, but we would certainly need to have the
9 flexibility to operate for an extended period of time
10 above that.

11 You know, I will maintain what we said during
12 our testimony. We don't project that to happen, but to
13 maintain reliability and to have that flexibility is
14 really important for SRP.

15 MR. DERSTINE: And maybe, Mr. Harbin, do you
16 want to add to that in terms of -- my understanding is
17 that there's some procedures or process over which even
18 though the air permit application is premised on a
19 40 percent capacity factor that there are ways or
20 mechanisms to override that; is that right?

21 A. BY MR. HARBIN: That is correct. The
22 40 percent capacity factor that will be in the air
23 permit can be overridden by a Department of Energy
24 202(c) order in the case of a grid emergency. We would
25 like to have that flexibility to operate under those

1 conditions.

2 MEMBER LITTLE: Okay. Well, that seems
3 reasonable to me.

4 CHAIRMAN STAFFORD: Member Little, if I may, if
5 you phrase it instead of "up to the capacity factor of
6 40 percent," if you said "with a capacity factor of
7 approximately 40 percent."

8 MEMBER LITTLE: Okay. That's fine. And then
9 that's the description that you gave us was that it
10 would be 40 percent, and then a description of what it
11 would be used for.

12 And then there is the sentence that says "The
13 project could also be called upon in unexpected longer
14 duration events such as outages of other generation
15 resources and heat waves extending through nighttime
16 hours." And I believe that sentence then qualifies the
17 40 percent consistent with what you described to us in
18 the application.

19 CHAIRMAN STAFFORD: In the air permit.

20 MEMBER LITTLE: And the air permit, yeah.

21 MS. GILBERT: Member Little, I think this is
22 acceptable to the Applicant.

23 MEMBER LITTLE: So your interpretation is also
24 that even though you plan to use it at 40 percent, no
25 greater than 40 percent, you could, and this is

1 consistent with the description.

2 MS. GILBERT: Subject to the air permit and any
3 other kind of federal law for emergencies.

4 MEMBER LITTLE: Right. Okay. That's my
5 motion.

6 CHAIRMAN STAFFORD: All right.

7 MEMBER HILL: Second.

8 CHAIRMAN STAFFORD: Further discussion?

9 The motion from Member Little is to add a new
10 phrase to Line 20, Page 2 of Chairman's 3.

11 After "peaking facility, comma," insert "with a
12 capacity factor of approximately 40 percent, comma."

13 Further discussion?

14 (No response.)

15 CHAIRMAN STAFFORD: All in favor say aye.

16 (A chorus of ayes.)

17 CHAIRMAN STAFFORD: Opposed?

18 Hearing none, the amendment is adopted.

19 If you could move the project description as
20 amended.

21 MEMBER HILL: So moved.

22 MEMBER LITTLE: Second.

23 CHAIRMAN STAFFORD: Further discussion?

24 (No response.)

25 CHAIRMAN STAFFORD: All in favor say aye.

1 (A chorus of ayes.)

2 CHAIRMAN STAFFORD: Opposed?

3 Hearing none, the project description as
4 amended is adopted again.

5 All right. I guess now we're ready for
6 Findings of Fact and Conclusion of Law.

7 MEMBER HILL: Mr. Chair, I would like to
8 propose that we approve 1 through 6 as a block.

9 Member Little, do you object to that?

10 MEMBER LITTLE: I do not. I would like to make
11 a statement if that's okay, but I don't object to it,
12 no.

13 CHAIRMAN STAFFORD: Okay.

14 MEMBER HILL: Okay. So I'll make the motion
15 that we approve Findings of Fact and Conclusion of Law
16 1 through 6.

17 MEMBER MERCER: Second.

18 CHAIRMAN STAFFORD: Further discussion?

19 MEMBER LITTLE: Thank you, Mr. Chairman.

20 I have often expressed difficulty in approving
21 Finding of Fact and Conclusion of Law, the standard one,
22 No. 2, indicating that I could say that the project aids
23 the state preserving a safe and reliable electric
24 transmission system.

25 Because the Applicant provided me with a copy

1 of the feasibility study -- sorry. It's been a long
2 week -- the feasibility study for the thermal plant, I
3 am able to agree with Condition No. 2.

4 In addition, as I stated yesterday with
5 reference to the CEC for Case 267, my position here on
6 the committee is to represent the public in these
7 proceedings. And, as such, I feel strongly the need to
8 heavily weigh the environment and character of the area
9 as well as existing and planned uses. And we've heard a
10 great deal on those aspects of environmental
11 compatibility.

12 And I realize that my vote on these findings of
13 fact and also on the project are going to be unusual in
14 light of what happened yesterday. However, we've also
15 been provided with a great deal of information with
16 mitigation measures and need on this project.

17 And I honestly believe this project is needed
18 and will have much less impact than Case 267 on the
19 character of the community and the existing and planned
20 uses. And for that reason, I have agreed to vote on all
21 six of them -- five of them, whatever it is.

22 CHAIRMAN STAFFORD: Six.

23 MEMBER LITTLE: And I just wanted to explain
24 the change in my position between yesterday and today on
25 the two different projects, two different CECs.

1 CHAIRMAN STAFFORD: The feasibility study was a
2 big help.

3 MEMBER LITTLE: Yes.

4 CHAIRMAN STAFFORD: All right. Findings of
5 Fact and Conclusions of Law 1 through 6 have been moved
6 and seconded.

7 All in favor say aye.

8 (A chorus of ayes.)

9 CHAIRMAN STAFFORD: Opposed?
10 Hearing none, Findings of Fact and Conclusions
11 of Law 1 through 6 are adopted.
12 Number 7.

13 MEMBER LITTLE: Mr. Chairman, I move the
14 approval of Condition 7.

15 MEMBER HILL: Second.

16 CHAIRMAN STAFFORD: Further discussion?

17 For this project, we have -- there's three
18 substations that step up from the generating units to
19 the 230kV, and then they all tie into the Marigold
20 Substation; correct? Those were the substations that
21 related to this project?

22 MS. GILBERT: Those relate to the energy
23 center. But since this CEC is only thermal and we're
24 using that zoomed in Exhibit A picture, I don't think we
25 need "substations" plural. I think it would be the

1 Marigold Substation is the only one discussed in this.

2 CHAIRMAN STAFFORD: There's three -- each
3 generator has a step-up -- has a substation -- or is it
4 just a transformer and not a substation? I guess that's
5 the issue.

6 MS. GILBERT: Mr. McClellan, can you answer?

7 A. BY MR. McCLELLAN: Yeah, that's correct.

8 So each generator will have a generator step-up
9 transformer to go from 18,000 volts to 230kV, and then
10 those gen-tie lines would take it to the Marigold
11 Substation.

12 CHAIRMAN STAFFORD: Okay. So we can amend 7 as
13 to the project substation, because that is -- well, we
14 can say the Marigold Substation is not jurisdictional,
15 then, because that's the only one we're talking about.

16 MS. GILBERT: That's correct.

17 CHAIRMAN STAFFORD: Okay. Can I get a motion
18 to make it so?

19 MEMBER FANT: So moved.

20 MEMBER MERCER: Second.

21 CHAIRMAN STAFFORD: Further discussion?

22 (No response.)

23 CHAIRMAN STAFFORD: All in favor say aye.

24 (A chorus of ayes.)

25 CHAIRMAN STAFFORD: Opposed?

1 Hearing none, the amendment is adopted.

2 Can I get a motion to adopt Finding of Fact and
3 Conclusion of Law No. 7 as amended?

4 MEMBER MERCER: So moved.

5 MEMBER LITTLE: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 Hearing none, Finding of Fact and Conclusion of
12 Law Number 7 as amended is adopted.

13 Number 8.

14 MEMBER LITTLE: Mr. Chairman, I move the
15 adoption of Finding of Fact No. 8.

16 MEMBER MERCER: Second.

17 CHAIRMAN STAFFORD: Further discussion?

18 We are going to need to change it because for
19 this project we're going to show it's the three 230kV
20 lines going from the step-up transformers to the
21 Marigold Substation that are nonjurisdictional.

22 Do we need to reference the 500kV line from the
23 Marigold Substation to the existing 500kV line in this
24 or not? Because we covered that, I think, in 267. So I
25 think for this one it's just these three lines that

1 connect the plant to the Marigold Substation that we're
2 talking about.

3 MEMBER LITTLE: I agree.

4 CHAIRMAN STAFFORD: Okay. So in that case, in
5 the last, it should be 230kV transmission lines instead
6 of 500kV on Line 20, Page 13, under Finding of Fact and
7 Conclusion of Law No. 8.

8 MEMBER LITTLE: So we're changing the 500 to
9 230.

10 CHAIRMAN STAFFORD: Right. Because it's 230kV
11 from the generator step-up transformers to the
12 substation.

13 MEMBER LITTLE: Correct.

14 MS. GILBERT: And the other edit that -- yes,
15 that's correct. And the edit in the first line where it
16 says "Project substations," we would just delete
17 "substations" because they're transformers. So it would
18 just be "between the project and the Marigold
19 Substation."

20 CHAIRMAN STAFFORD: Right, right.

21 MEMBER LITTLE: Correct.

22 CHAIRMAN STAFFORD: Between the project and the
23 Marigold Substation. Because a transformer by itself
24 does not a substation make.

25 MEMBER LITTLE: The "and" still needs to be in

1 there. Correct.

2 CHAIRMAN STAFFORD: All right. Do you make a
3 motion to amend?

4 MEMBER LITTLE: Yes.

5 CHAIRMAN STAFFORD: Has it been seconded?

6 MEMBER FANT: Second.

7 CHAIRMAN STAFFORD: Okay. The motion before
8 the committee is to amend Finding of Fact and Conclusion
9 of Law No. 8 to read "The project's 230kV transmission
10 lines between the project and the Marigold Substation
11 are not jurisdictional because the definition of a
12 transmission line under A.R.S. 40-360(10) means five or
13 more new structures that span more than one mile in
14 length and the 230kV transmission lines will not meet
15 these criteria, period."

16 That is the motion. All in favor say aye.

17 (A chorus of ayes.)

18 CHAIRMAN STAFFORD: Opposed?

19 Hearing none, the amendment is adopted.

20 Can I get a motion to adopt Finding of Fact and
21 Conclusion of Law No. 8 as amended?

22 MEMBER LITTLE: So move.

23 MEMBER MERCER: Second.

24 CHAIRMAN STAFFORD: Further discussion?

25 (No response.)

1 CHAIRMAN STAFFORD: All in favor say aye.

2 (A chorus of ayes.)

3 CHAIRMAN STAFFORD: Opposed?

4 Hearing none, Finding of Fact and Conclusion of
5 Law No. 8 as amended is adopted.

6 On to Exhibit A.

7 MS. GILBERT: Chairman Stafford, do you want to
8 see the one that was attached that's currently marked
9 Chairman's Exhibit, or would you like -- we amended it
10 to show just a zoomed in version.

11 CHAIRMAN STAFFORD: Well, let's start with --
12 okay. For the prior one, we had -- we started with the
13 Exhibit A from -- this will be from SRP-16.

14 MS. GILBERT: Yes, that's correct. And that's
15 what is reflected on the screen.

16 We have changed it, Member Comstock, to have
17 the feature lines that you shared with us yesterday.

18 MEMBER COMSTOCK: Thank you. You made my day.

19 CHAIRMAN STAFFORD: All right. So let's --
20 okay. So this is what we're starting with. So we're
21 going to make the same changes to this Exhibit A that we
22 did to the prior -- to the Exhibit A for 267, and then
23 we're going to change the size of it to where it's -- it
24 doesn't have all of SRP property that's related to the
25 solar and battery projects.

1 MS. GILBERT: Yes, that's correct.

2 CHAIRMAN STAFFORD: Okay. So let's start
3 with -- here is the list of amendments that we made to
4 the other one.

5 We'll start by labeling the owners and
6 operators of the existing 500kV and 230kV lines in the
7 legend. I believe this one would only show the 500kV
8 line and not the other 230kV line once we change it;
9 correct?

10 MS. GILBERT: Once it's zoomed in, it would
11 only show the -- it wouldn't show the 230 lines on White
12 and Parker Road. Is that answering your question?

13 CHAIRMAN STAFFORD: All right. Yes.

14 And then we don't need to change the corridor
15 because we have -- we do not have a corridor for this
16 one. We just have the project site, which is the
17 60 acres; correct?

18 MS. GILBERT: That is correct.

19 CHAIRMAN STAFFORD: And then we have the
20 SRP-controlled property is going to be that
21 approximately 330 acres that's in blue, and that will be
22 the only blue that's showing in the Exhibit A; correct?

23 And then the all important change that the
24 transmission lines are red and the gas line is a solid
25 yellow.

1 MS. GILBERT: Yes. We've made that change.

2 CHAIRMAN STAFFORD: Okay. Can I get a motion
3 to make those changes to Exhibit A for CEC 268?

4 MEMBER FANT: So move.

5 MEMBER MERCER: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 Hearing none, Exhibit A is amended.

12 Now, can you show us what it looks like now.

13 Aren't there three 230kV lines coming out of
14 the -- or do they converge into one?

15 MS. GILBERT: Ms. Laurence, I think that's a
16 good question for you.

17 A. BY MS. LAURENCE: Yes. The legend shows two
18 double-circuit 230kV gen-tie lines with the red line
19 with the diamonds on it, and that is accurate. There
20 will be a total of three circuits coming from the
21 thermal plant down into the substation. Two will be on
22 one set of poles, and one will be on one set of poles.

23 CHAIRMAN STAFFORD: Okay. And that's what
24 we're looking at here? It shows two?

25 A. BY MS. LAURENCE: Yes.

1 CHAIRMAN STAFFORD: From the generating station
2 to the Marigold Substation.

3 MS. GILBERT: I think in the legend it states
4 two double, but it is signified with one red line with
5 the diamonds.

6 CHAIRMAN STAFFORD: Isn't the -- okay. Hang
7 on.

8 Have you got the proposed ones labeled as 267?
9 What are we looking at?

10 MS. GILBERT: This is the new 267. It might
11 need to be zoomed so you can see the bottom of it. We
12 might be too -- thanks, Michele.

13 CHAIRMAN STAFFORD: No. Go back to the
14 Exhibit A for this one.

15 MS. GILBERT: Exhibit A for 268, the thermal?

16 CHAIRMAN STAFFORD: Right. I asked if the
17 legend -- had the proposed lines from 267 been labeled.

18 MS. GILBERT: Oh, I thought you were asking for
19 the --

20 CHAIRMAN STAFFORD: No.

21 MS. GILBERT: Sorry. It's getting late, I
22 guess.

23 CHAIRMAN STAFFORD: No. I'm just saying,
24 because we have -- I think the map should show that to
25 the right that's the existing -- was it Duke to Pinal

1 Central line? That's a 500kV with a 230kV line as well,
2 isn't it?

3 MS. GILBERT: With a 230kV underbuild that's
4 owned by WAPA.

5 CHAIRMAN STAFFORD: Okay. Yeah. So it should
6 show that.

7 We have the Kinder Morgan and Transwestern
8 pipelines labeled in solid yellow across the top.

9 I think the hash tag, it says "proposed
10 thermal." It should say "project site" because that's
11 what we refer to it in the text of the description.

12 And then there should be two lines coming from
13 the generator to the Marigold Substation, one
14 double-circuit and one single-circuit; correct? That's
15 how it's connecting to the substation?

16 A. BY MS. LAURENCE: Correct.

17 CHAIRMAN STAFFORD: So it should reflect that.
18 And then the -- and that line, which is the proposed in
19 this one, and then the other one which is the 267 lines
20 that are proposed, I think how they're shown there is
21 okay, but in the legend it should show that those two
22 lines are the 267 lines. And then same with the
23 intertie to the Duke-Pinal Central line out of the
24 substation.

25 Does that make sense?

1 MS. GILBERT: Just for the lines coming between
2 the Marigold Substation to the Duke, the existing
3 Duke-Pinal Central line, what did you want to change
4 there?

5 CHAIRMAN STAFFORD: I guess we -- no. That
6 one -- because that one is just a separate -- that's
7 not -- technically, it's not part of the 267, but we
8 talk about it in the 267.

9 MS. GILBERT: That's right.

10 CHAIRMAN STAFFORD: But the 267 lines, those
11 should be labeled as that.

12 I think that would be it; right? Because
13 the -- is that clear enough, Member Little, or do we
14 need to --

15 MEMBER LITTLE: No, I think that's good. You
16 know, for the purposes of this CEC, those lines exist.

17 CHAIRMAN STAFFORD: Right. I'm just like, what
18 do we call them?

19 MEMBER LITTLE: But I think it's good to
20 reference them to the case.

21 CHAIRMAN STAFFORD: Because the new ones, the
22 ones that exist, the gen-tie lines exist. And they'll
23 label this 267, but then we reference the 500kV tie in
24 267. But we just -- and we said that part -- we
25 mentioned that because that's how those tie to the grid.

1 MEMBER LITTLE: How about if we label them "To
2 be constructed, paren, Case 267, close paren."

3 CHAIRMAN STAFFORD: Oh, for the 500 tie?

4 MEMBER LITTLE: Yes, as well as the 230 coming
5 into the substation. It's on the map. It needs to be
6 talked about.

7 CHAIRMAN STAFFORD: Right. And just put maybe
8 "nonjurisdictional" in parentheses in the legend.
9 Because we talk about them, and you need to have them or
10 this thing won't work, but that component doesn't meet
11 the statutory definition of what a transmission line is.

12 MEMBER LITTLE: I don't think we need to do
13 that for those two lines, the 230 coming from the solar
14 and the 500 going over to the existing line.

15 CHAIRMAN STAFFORD: Well, the ones coming from
16 the solar and the BESS, those are transmission lines,
17 and they're the ones that are approved in 267.

18 MEMBER LITTLE: Oh, I see, I see. The 500
19 going out.

20 CHAIRMAN STAFFORD: Yeah. We mentioned it in
21 the 267, but it's nonjurisdictional. And we had it --
22 it was Finding of Fact and Conclusion of Law No. 8, I
23 think, for that one.

24 MEMBER LITTLE: So the solid red and the little
25 dotted sawtooths on it could be labeled "To be

1 constructed, paren, Case 267."

2 And then the 500 line could be labeled "To be
3 constructed, paren --

4 CHAIRMAN STAFFORD: -- nonjurisdictional. See
5 267"?

6 MEMBER LITTLE: Yes.

7 CHAIRMAN STAFFORD: Because we talk about it in
8 that one. We don't mention it in this one. We just
9 focus on the 230kV lines, the nonjurisdictional.

10 MEMBER LITTLE: And then the 500, we could just
11 put "nonjurisdictional."

12 CHAIRMAN STAFFORD: Right.

13 MEMBER LITTLE: Because that one is a piece of
14 this CEC, but nonjurisdictional -- mentioned in the --

15 CHAIRMAN STAFFORD: It's mentioned -- we don't
16 mention it in this one. We only mentioned it in the
17 other one.

18 MEMBER LITTLE: Not the 500 coming out of
19 the -- or the -- I'm sorry -- the 230 coming out of the
20 power plant.

21 CHAIRMAN STAFFORD: Right. Those are the ones
22 we mentioned in 268. That's what the finding of fact
23 and conclusion of law states, that those ones are not
24 jurisdictional.

25 MEMBER LITTLE: Right. But on the map we could

1 just say "nonjurisdictional."

2 CHAIRMAN STAFFORD: Right, right.

3 MEMBER LITTLE: We don't need to mention the
4 case.

5 CHAIRMAN STAFFORD: But, see, we don't mention
6 the 500kV tie to the Duke-Pinal Central.

7 MEMBER LITTLE: Right.

8 CHAIRMAN STAFFORD: We did that in the 267.

9 MEMBER LITTLE: Yes. That's why we say "To be
10 constructed, see Case 267."

11 Are we being clear or are we just --

12 MS. GILBERT: Can I read back my note to you?

13 CHAIRMAN STAFFORD: Right. But it's not --
14 because the 267 are the 230kV lines on the left, and it
15 references the 500kV line that ties to the grid. That's
16 nonjurisdictional.

17 So the issue is how do we label it on this one.
18 Because it's the 500 nonjurisdictional kV one that was
19 discussed in 267, we'll just put "Nonjurisdictional, See
20 267," so they can figure out --

21 MS. GILBERT: Yeah. The note I took down is
22 "To be constructed, nonjurisdictional, parens, See CEC
23 Case 267."

24 CHAIRMAN STAFFORD: There you go. Because you
25 need to look at both of these together to see how it all

1 works.

2 But this one, this is at the plant. It goes to
3 this substation and then it ties to the 500kV line.

4 I guess the other thing, should we mention the
5 500kV line in the findings of fact and conclusion of law
6 in this one like we did in 267? Would that make it more
7 clear?

8 Because we have -- because in the other one we
9 traced the path from the solar and BESS to the
10 substation to the 500kV line. Maybe we should do the
11 same for this to go from the generation -- the generator
12 to the substation to the 500kV line.

13 Because that's the path that they're going to
14 follow; right?

15 MS. GILBERT: Right. How it would ultimately
16 reach the grid.

17 MEMBER LITTLE: Yeah, but, Mr. Chairman, if
18 that substation were already existing and that line were
19 already existing, then all we would need to trace would
20 be the plant to the substation.

21 CHAIRMAN STAFFORD: Right.

22 MEMBER LITTLE: So I don't really think it
23 matters one way or the other.

24 CHAIRMAN STAFFORD: Okay.

25 MS. GILBERT: I think we're with you, Member

1 Little. I think it's covered in 267, so we're okay
2 either way.

3 CHAIRMAN STAFFORD: So is it clear how we're
4 amending this thing?

5 MS. GILBERT: Can I read my notes back just to
6 make sure we don't miss it?

7 CHAIRMAN STAFFORD: Yes.

8 MS. GILBERT: So for this one we're going to
9 change the callout box from "proposed thermal generation
10 site" to "project site."

11 We're going to change the lines between the
12 project and the Marigold Substation so that it shows
13 both the single-circuit and double-circuit.

14 And then we're labeling the Case No. 267 lines
15 that go into the Marigold Substation as "To be
16 constructed, parens, CEC Case 267."

17 And then we're labeling the 500 line that
18 connects the Marigold Substation to the existing
19 Duke-Pinal Central line as "To be constructed,
20 nonjurisdictional, CEC Case 267."

21 And we'll also add to the face of the map,
22 along the red circle line, that existing 500/230 line,
23 that it is SRP 500, WAPA 230.

24 Did we get it all? Okay. Thank you.

25 CHAIRMAN STAFFORD: I think so. I think that's

1 everything.

2 MEMBER LITTLE: I would like to make one
3 change.

4 The 230 lines between the thermal plant and the
5 substation, I don't think we need to put "to be
6 constructed." Because, to me, the "to be constructed"
7 implies that it's already been dealt with in a different
8 CEC. It is part of this project. It's just a
9 nonjurisdictional part of this project.

10 MS. GILBERT: That makes sense. Thank you.

11 MEMBER LITTLE: So just take this "to be
12 constructed" out of the 230 lines between the plant and
13 substation.

14 MS. GILBERT: Thank you.

15 MEMBER LITTLE: Okay.

16 CHAIRMAN STAFFORD: And the 500kV one too? The
17 tie?

18 MEMBER LITTLE: No, because that one was dealt
19 with in the other case.

20 CHAIRMAN STAFFORD: But it's nonjurisdictional
21 still.

22 MEMBER LITTLE: I know.

23 CHAIRMAN STAFFORD: Okay. But it says
24 "nonjurisdictional"; right?

25 MS. GILBERT: Yes, it says nonjurisdictional.

1 CHAIRMAN STAFFORD: Okay. Good. I'm
2 satisfied.

3 Is that your motion, Member Little?

4 MEMBER LITTLE: Yeah, it is.

5 MEMBER MERCER: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 Hearing none, the amendment is adopted.

12 Can I get a motion to adopt Exhibit A as
13 amended?

14 MEMBER MERCER: So move.

15 MEMBER LITTLE: Second.

16 CHAIRMAN STAFFORD: Further discussion?

17 (No response.)

18 CHAIRMAN STAFFORD: All in favor say aye.

19 (A chorus of ayes.)

20 CHAIRMAN STAFFORD: Opposed?

21 Hearing none, Exhibit A is adopted.

22 On to Exhibit B.

23 So we're starting with the Exhibit B attached
24 to Exhibit SRP-16.

25 MEMBER LITTLE: Did we make any changes to

1 Exhibit B in 267?

2 CHAIRMAN STAFFORD: I thought we did, but,
3 again, it was -- I know we made the removal of the avian
4 power-line collision guides because we had a separate
5 condition that states that, so we didn't need to include
6 it as an additional mitigation measure because it was
7 already covered. But we don't have that in this CEC for
8 this because there's no jurisdictional transmission line
9 that's part of this project.

10 And then we took out the condition about
11 nonshiny conductors and poles because there's no
12 jurisdictional transmission lines in this case.

13 MS. GILBERT: I think that would be deleting
14 the box under "design would minimize electrocution and
15 collision."

16 CHAIRMAN STAFFORD: Beg your pardon?

17 MS. GILBERT: Michele, can you use your cursor
18 over to show?

19 We would delete that bullet point that starts
20 with "design would space conductors."

21 MEMBER LITTLE: I disagree.

22 You've got conductors. I mean, you've got
23 wires. I don't know if you want to put "wires" as
24 opposed to "conductors." But you've got wires and
25 conductors and stuff in the plant.

1 I worked for Anchorage Municipal Light and
2 Power. We had a power outage all the way from Fairbanks
3 all the way down to the Kenai Peninsula because a bird
4 got between two insulators.

5 MR. DERSTINE: Member Little, but you're
6 looking to have the conductor spacing and wire language
7 applied to the nonjurisdictional --

8 MEMBER LITTLE: No.

9 MR. DERSTINE: Okay.

10 MEMBER LITTLE: Talking about within the
11 thermal plant.

12 MR. DERSTINE: Oh, I see. Facility.

13 MEMBER LITTLE: You've got buses and wires and
14 transformers and all kinds of stuff within the
15 thermal -- in the thermal generation plant.

16 MR. DERSTINE: Are you okay with that,
17 Mr. McClellan?

18 A. BY MR. MCCLELLAN: Yes.

19 CHAIRMAN STAFFORD: So do we need to make any
20 changes to Exhibit B for this one?

21 MEMBER LITTLE: I don't think so.

22 CHAIRMAN STAFFORD: I see a thumbs up from
23 Member Fontes.

24 All right. Well, Exhibit B from SRP-16 has
25 been -- has it been moved and seconded to adopt that as

1 Exhibit B for the certificate?

2 MEMBER LITTLE: I move we adopt Exhibit B.

3 CHAIRMAN STAFFORD: From hearing Exhibit
4 SRP-16?

5 MEMBER LITTLE: Yes.

6 CHAIRMAN STAFFORD: As Exhibit B for this
7 certificate.

8 MEMBER FANT: So moved.

9 CHAIRMAN STAFFORD: How about a second?

10 MEMBER MERCER: Second.

11 CHAIRMAN STAFFORD: All right. Further
12 discussion?

13 Any comments from the Applicant?

14 MS. GILBERT: No comments.

15 CHAIRMAN STAFFORD: All right. All in favor say
16 aye.

17 (A chorus of ayes.)

18 CHAIRMAN STAFFORD: Opposed?

19 Hearing none, Exhibit B is adopted.

20 All right. With that, I believe we are ready
21 to vote on the certificate.

22 Can I get a motion to adopt Certificate CEC 268
23 as amended?

24 MEMBER FONTES: So move.

25 MEMBER MERCER: Second.

1 CHAIRMAN STAFFORD: Further discussion?

2 We'll do a roll call vote.

3 Member Comstock.

4 MEMBER COMSTOCK: Yes.

5 CHAIRMAN STAFFORD: Member Mercer.

6 MEMBER MERCER: Yes.

7 CHAIRMAN STAFFORD: Member Fant.

8 MEMBER FANT: Short statement.

9 CHAIRMAN STAFFORD: Short statement.

10 MEMBER FANT: Okay. My grandmother Olga was
11 Amish, and she taught me Amish ways, which is
12 cooperative decision-making, which will help with the
13 community here. And after a while, the plant will just
14 become the plant. So always good to work with the
15 community. And you know this, but I just wanted to
16 emphasize it.

17 I vote yes.

18 CHAIRMAN STAFFORD: Member Little.

19 MEMBER LITTLE: Consistent with my statement
20 when we were talking about the findings and conclusions
21 of law, I feel that this project will have fairly
22 minimal impact on the character and the future and
23 existing land use of the area and is certainly needed.

24 And I vote yes.

25 CHAIRMAN STAFFORD: Member Drago.

1 MEMBER DRAGO: I vote aye.

2 CHAIRMAN STAFFORD: Member Fontes.

3 MEMBER FONTES: I vote aye.

4 Thanks to the participants and to Mr. Derstine
5 for your indulgence. I really appreciate it.

6 CHAIRMAN STAFFORD: And I vote aye.

7 By a vote of seven ayes and zero nays, CEC 268
8 is approved.

9 MEMBER LITTLE: Mr. Chairman, may I make a
10 brief statement, please?

11 CHAIRMAN STAFFORD: Yes.

12 MEMBER LITTLE: I would really like to thank
13 the Applicant for their presentation of the case, their
14 willingness to work with the community, and their
15 understanding of the fact that you guys have been
16 working on this for several years and we've been working
17 on it for about three weeks. And you've been very
18 understanding and supportive of providing us the
19 information that we needed to make a reasonable decision
20 on the project, and I really appreciate it.

21 And, Michele, your patience is always
22 appreciated. Thank you.

23 CHAIRMAN STAFFORD: Thank you.

24 Can I get a motion to allow the Chair to make
25 corrections to the certificates, both 267 and 268, and

1 sign and file with the Commission?

2 MEMBER FANT: So moved.

3 MEMBER FONTES: Second.

4 CHAIRMAN STAFFORD: Further discussion?

5 (No response.)

6 CHAIRMAN STAFFORD: All in favor say aye.

7 (A chorus of ayes.)

8 CHAIRMAN STAFFORD: Opposed?

9 Hearing none, the motion carries.

10 Thank you all very much. We appreciate all the
11 work that the Applicant and the members of the committee
12 have done on this.

13 It was quite the hearing. But as we get to more
14 and more of these types of cases, I expect more issues
15 will come up, especially when you start looking into
16 cumulative impacts about what is around there.

17 But we did it. We made it through. We didn't
18 have to come back at a different time.

19 But I appreciate the AV team. You had some
20 rough moments, but we managed to make it.

21 And thank you to the court reporter.

22 Oh, Member Hill has joined us.

23 MEMBER HILL: I wanted to vote yes. Is it too
24 late?

25 CHAIRMAN STAFFORD: Yes, we've already passed

1 it.

2 MEMBER HILL: Damn it. I'm so sorry. I'm so
3 sorry.

4 CHAIRMAN STAFFORD: I can put a footnote that
5 Member Hill voted yes after we passed it.

6 MEMBER HILL: Okay. Thank you.

7 CHAIRMAN STAFFORD: Any comments, Member Hill?

8 MEMBER HILL: No. I just want to thank
9 everyone. I feel like we're always learning together.
10 I know you guys have spent months pulling this stuff
11 together. We tried to digest it in a few days. And I'm
12 just grateful for your partnership and your candidness
13 and your patience with us and the public.

14 And this is a good project. We need this
15 power, and I'm happy to support it even in a footnote.
16 So thank you.

17 CHAIRMAN STAFFORD: Thank you.

18 All right. Anything further for the good of
19 the order?

20 Nothing from the Applicant?

21 MR. DERSTINE: No. I think Ms. Gilbert and I
22 would just say thank you. We had some folks in the room
23 who maybe don't see these hearings and necessarily see
24 this part of the process. And I heard remarks that,
25 wow, they really take this very seriously. They're very

1 careful. They're going line by line.

2 And I think anyone viewing this process
3 understands how seriously all of the members of the
4 committee take your work, how careful you are and how
5 thoughtful you are in terms of trying to incorporate
6 what you hear from the public, using your knowledge and
7 your experience, and applying it to each one of these
8 projects.

9 And we thank you very much for your time and
10 your attention.

11 CHAIRMAN STAFFORD: Thank you.

12 And with that, we are adjourned.

13 (The hearing concluded at 2:03 p.m.)
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1 STATE OF ARIZONA)
2 COUNTY OF YUMA) ss.

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

9 I CERTIFY that I am in no way related to any of
10 the parties hereto nor am I in any way interested in the
11 outcome hereof.

12 I CERTIFY that I have complied with the ethical
13 obligations set forth in ACJA 7-206(F)(3) and
14 ACJA 7-206(J)(1)(g)(1) and (2).

15 DATED this 29th day of September, 2026, at
16 Yuma, Arizona.

17 

18 MICHELE E. BALMER
19 Arizona Certified Reporter
20 No. 50489

21 I CERTIFY that GLENNIE REPORTING SERVICES, LLC,
22 has complied with ACJA 7-206(J)(1). forth in

23 

24 GLENNIE REPORTING SERVICES, LLC
25 Arizona Registered Firm
No. R1035