

1 BEFORE THE ARIZONA POWER PLANT LS-531
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)
16 SEQ., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING THE MARIGOLD THERMAL)
PLANT PROJECT, LOCATED IN PINAL)
COUNTY, ARIZONA.)
EVIDENTIARY HEARING

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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 9:03 a.m. on the 24th 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 SAL DICICCIO, Cities and Towns (Remote Appearance)
MARGARET "TOBY" LITTLE, PE, General Public
14 ROMAN FONTES, Counties (Remote Appearance)
GABBY SAUCEDO MERCER, General Public

15

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21 SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND
POWER DISTRICT
By: Alysha Y. Gilbert
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23

24

25

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

3 I think they've got the microphones dialed in.
4 I think everybody can be between two to ten inches away
5 from the microphone and it should be picking up
6 everybody okay.

7 This morning we're going to take some more
8 public comment before we continue with the
9 presentations.

10 Up first we have Suzy Gonzalez.

11 AZUCENA "SUZY" HERRERA GONZALEZ: Hello, good
12 morning.

13 CHAIRMAN STAFFORD: All the mics but that one,
14 apparently.

15 AZUCENA "SUZY" HERRERA GONZALEZ: Does that
16 work? Sorry. Can you hear me?

17 CHAIRMAN STAFFORD: No, but the court reporter
18 can.

19 AZUCENA "SUZY" HERRERA GONZALEZ: Hello? Okay.
20 There we go. All right.

21 Well, good morning. Please excuse me my raspy
22 voice. I'm a little under the weather. Given all the
23 testimony on noise this week, I suppose today I'm
24 providing the committee with a live example of low
25 frequency sound.

1 Jokes aside, first, I just wanted,
2 Mr. Chairman, members of the committee, thank you for
3 your time and attention. I also want to thank the SRP
4 applicants and all of the witnesses for taking the time
5 to address the community petition point by point. That
6 process has helped clarify both the issues before you
7 and the questions that remain unresolved.

8 I ask you to consider not only this project but
9 also the precedent this case may establish for future
10 energy projects in Arizona.

11 Imagine that parents are asked to approve the
12 construction of a new school. They are told that a
13 committee is responsible for determining whether the
14 school is safe for their children. But during the
15 hearing, they learn that the committee has authority
16 only over what happens inside one classroom. The math
17 classroom, for example.

18 The playground, the athletic fields, the
19 parking lot, the bus area, the surrounding grounds may
20 affect their children every day, yet those areas fall
21 outside the committee's jurisdiction. No other agency
22 is conducting a comparable, comprehensive review of the
23 school as a whole.

24 Would those parents reasonably believe that a
25 safe math classroom means the entire school, including

1 the playground, hallways, cafeteria, and other areas
2 outside the classroom is safe? That is a concern I ask
3 you to consider here.

4 An integrated energy project does not operate
5 as a collection of unrelated rooms. In generating
6 facilities, transmission infrastructure, water systems,
7 access roads, storage or support facilities, and
8 associated activities may function together and produce
9 cumulative impacts involving noise, water, fire safety,
10 wildlife, agriculture and neighboring residents.

11 If important components of the integrated
12 project fall outside the jurisdiction of the body
13 conducting this environmental compatibility proceeding,
14 then the central question is who is responsible for
15 reviewing the whole picture?

16 And if no single regulatory body has that
17 responsibility, then this case reveals a regulatory gap
18 that extends far beyond Marigold. A project should be
19 treated as a fully-reviewed simply because its
20 components have been divided among separate approvals,
21 separate agencies, or separate proceedings.

22 Dividing the school into classrooms does not
23 eliminate the playground and dividing an energy project
24 into permits does not eliminate its cumulative impacts.

25 The decision made here may become an important

1 precedent for future projects structured in a similar
2 way. I respectfully ask the committee to take specific
3 action in its decision and record, clearly identify
4 which facilities, activities, and impacts are within the
5 committee's jurisdiction, clearly identify which
6 components and impacts are outside its jurisdiction,
7 identify the agency, proceeding, or other accountable
8 authority responsible for reviewing each excluded
9 component, explain how the cumulative impacts of the
10 entire integrated project, not merely the portion before
11 this committee, will receive meaningful and enforceable
12 regulatory review.

13 If no such comprehensive review exists,
14 acknowledge the gap and explain what safeguards,
15 conditions, or additional proceedings are necessary
16 before the project can be found environmentally
17 compatible.

18 The public should not be left to assemble the
19 safety case for an integrated project by moving from
20 agency to agency, permit to permit, and hearing to
21 hearing, hoping that someone has reviewed the
22 connections among them. The committee's decision should
23 provide a clear map of responsibility, not leaving the
24 most important questions between jurisdictions.

25 Environmental compatibility should mean more

1 than determining whether one room is safe. It should
2 mean determining whether the school as a whole is safe.
3 And if this committee cannot make that determination,
4 ensuring the clearly identified authority does, I
5 respectfully ask you to make the responsibility explicit
6 in the record and to condition or defer approval, as
7 necessary, until the public can see who is reviewing the
8 whole project, how the cumulative impacts are being
9 addressed, and what enforceable protections will apply.

10 Thank you for your time.

11 CHAIRMAN STAFFORD: Thank you.

12 Up next we have Jackie Shields.

13 JACKIE SHIELDS: Hi. My name is Jackie
14 Shields, and I -- actually, how do you follow that?
15 Great job, girl.

16 Again, I am a long-time resident of Stanfield,
17 and I just wanted to come back, first off, and say the
18 same thing she did, and that is that I have enjoyed
19 listening and meeting some of you throughout the week.
20 And I do appreciate, even those that work for SRP and
21 stuff, you guys have done a phenomenal job in doing your
22 job. However, at the same time, I'm not in support of
23 this, as you, obviously, know.

24 I would much rather have this if -- I'm all
25 about, you know, working with people. But we would much

1 rather, if we have to have additional energy, let's just
2 find something that's not so close to us. You have
3 Option B. I know it's more expensive. I get that.

4 I also loved one of the line committee's
5 questions that had to do with about the regeneration
6 this week and had you thought about those added -- you
7 know, that option instead of these gases going out into
8 the air, and so on and so forth. Anyway, point being is
9 what came back was it wasn't in the economics.

10 What I ask you today is we don't -- our -- the
11 economics? What about us? You might help us for a
12 couple years. You know, there might be some
13 construction going around. Some people might have some
14 extra work, whatever. After that, we have 30 years.
15 30 years of pollution, 30 years of lifestyle change,
16 30 years of something that we absolutely didn't want.

17 And we shouldn't be forced to take our houses
18 that we have worked our entire lives and careers for,
19 our dream homes and properties and now, because they're
20 coming in so close to us, lose that equity.

21 I, as a realtor, have to go on these listing
22 appointments. And as a realtor, I have to sit in front
23 of these people and say, "I'm sorry. Your house is
24 going to be on the market a little longer because 1,000
25 feet away from you we have this energy plant."

1 I just had it happen on another property on the
2 east end of Casa Grande. They didn't want to buy my
3 listing because they have solar fields in their
4 backyard.

5 We don't want to be fried. Move the stuff away
6 from us. Move it away from our fields that are feeding
7 our cattle. Move it away from our water that's feeding
8 the feed that feeds the cattle that feeds us. That's
9 what I ask you to consider.

10 And, again, thank you all. I really appreciate
11 it. Bye.

12 CHAIRMAN STAFFORD: Thank you.

13 Up next we have Toby Rodriguez.

14 TOBY RODRIGUEZ: Good morning. I have missed
15 most of this. I just got back in town last night, so I
16 don't even know. Jackie has tried to fill me in on
17 what's going on.

18 I am here because I want to speak up for the
19 health concerns that go along with this. I'm sorry.

20 We have a business that's been here for
21 51 years. My husband's 98-year-old grandmother still
22 lives here. My grandchildren live here. I don't want
23 to see this. I don't want to have to deal with medical
24 effects.

25 I was just quickly, this morning, trying to

1 come up with a list, and we discussed this in 2008 when
2 we lost a good friend to cancer. The community has
3 dealt with a lot. And what we came up with years ago
4 was that it all kind of came down to -- in Stanfield --
5 and when I say "in Stanfield," I'm talking about the
6 school.

7 Cancer patients. Shyla Suor was a 26-year-old
8 teacher at Stanfield school when she was diagnosed with
9 breast cancer. Patty Schuler was a teacher at Stanfield
10 school. Olivia Rodriguez was a long-term committee
11 member on the school board. Pam Walton was a teacher
12 diagnosed with cancer. Laurie Hoover was a teacher
13 diagnosed with cancer. Dominique Garcia was a student
14 who was diagnosed with cancer and later lost her arm.
15 Curtis Whitehead was 28 years old when he lost his life
16 to cancer.

17 I don't want to leave Stanfield. This has been
18 my home for 28 years, and my husband was born and raised
19 here. My six-month-old grandson lives here now. I
20 don't want to have to leave because my family is sick.

21 Thank you.

22 CHAIRMAN STAFFORD: Thank you.

23 Up next we have Dave Klingensmith.

24 Please spell your name for the court reporter.

25 DAVE KLINGENSMITH: My name is Dave

1 Klingensmith. It's K-l-i-n-g-e-n-s-m-i-t-h.

2 And I would rather face a firing squad than
3 stand up and talk to people, and this is two times, so
4 I'm kind of amazing myself.

5 When all I want to talk about is what I missed
6 out when I was so nervous the other day was water. And
7 everybody calls it groundwater, but what it truly is is
8 fossil water. It's taken tens of thousands of years for
9 that water to get into the ground. And you can't keep
10 poking straws in the ground every day and expect it to
11 be there in the future. It's a finite resource. It's
12 not going to be there forever.

13 And as much as the cities pull out and they
14 want to pull out, and now they want to pull out for the
15 power plant, and they start getting into the AI
16 infrastructure which is going to use a lot of water as
17 well, this is going to be a problem.

18 And they can say, "Oh, we do water credits."
19 Okay, but that's a drop in a bucket. Okay? They draw
20 out a thousand times more water or even more than that
21 than they ever, ever will put back into the ground. And
22 so it's just going to be on its way.

23 And the first people to suffer from that
24 problem are the homeowners that have small wells, the
25 little domestic wells. They're the ones that go dry.

1 If you go up to Prescott Valley, look at the Prescott
2 Valley. If you go down to some parts of Pinal County,
3 they're dry.

4 You know, homeowners can't afford \$100,000 to
5 get a vertical turbine to pull water out for their
6 house. So it's either haul water or none at all for a
7 lot of those communities. We don't want to be there,
8 and it will be there if they keep going.

9 You know, like I said, they were going to put
10 6,000 homes around us, and the water that they were
11 going to pull out of there with Global Water was
12 unimaginable.

13 And then, you know, you have the Governor sign
14 a bill that says that they can go ahead and sell the
15 water rights with the property to be able to use for
16 domestic use rather than ag use. That's a bad way to go
17 because now, all of a sudden, they just opened the
18 floodgates for everybody to come out here and build
19 whatever they want and suck out of the ground whatever
20 they need.

21 And so I just want to say, it's fossil water,
22 it's a finite resource, and it's just not going to be
23 there forever. Thank you.

24 CHAIRMAN STAFFORD: Thank you.

25 We have a number of other slips, but the people

1 have indicated they do not wish to speak.

2 There was Kare Coffey did not want to speak.

3 Caitlynn Cox did not want to speak. Nancy

4 Malad did not want to speak.

5 Gene Archundo did not wish to speak.

6 Frank Weidner did not wish to speak.

7 And Cyndi Bisceglie did not wish to speak.

8 (Question off microphone from Jackie Shields.)

9 CHAIRMAN STAFFORD: No. They go to the
10 Applicant. So if you have signed up for public comment
11 and you provided an e-mail or a mailing address, in the
12 certificate, if they wish to make changes to it, they
13 have to -- there's certain notifications that you're
14 entitled to by providing that information to the
15 Applicant.

16 And you're free to speak to the Applicant at
17 any time. You just can't discuss the merits of the
18 cases with the members because the ex parte rule is in
19 effect and we're voting.

20 We have a number of questions coming up, but
21 we're going to wait for Member Hill to be online, and I
22 think Member Fontes will also be online later.

23 So we'll take a recess and come back at around
24 10:00 a.m., and then we'll -- by that time Members Hill
25 and Fontes will be back with us, and we'll be ready to

1 resume questioning.

2 With that, we're in recess.

3 (A recess was taken from 9:19 a.m. to
4 10:08 a.m.)

5 CHAIRMAN STAFFORD: Let's go back on the
6 record.

7 Member Hill has joined us online. I understand
8 Member Hill had some additional questions about some of
9 the exhibits.

10 MEMBER HILL: Thank you, Mr. Chair. I just
11 have one request.

12 CHAIRMAN STAFFORD: We can't really hear Member
13 Hill.

14 MEMBER HILL: Oh, I'm sorry. Is this better?

15 CHAIRMAN STAFFORD: A little bit.

16 MEMBER HILL: It's a hard knock life for us,
17 it's a hard knock life for us. I was hoping that that
18 might help. You can turn my microphone up, team. Is
19 that better? Okay.

20 I just have one request. I was reviewing last
21 night the -- let's see. Let me pull that back up.

22 Pinal County has a publication that they did
23 with Arizona Game and Fish regarding riparian areas. I
24 actually found it a very interesting read.

25 But given -- and we've talked about this a

1 little bit. There are a set of mitigation measures
2 related to biological things, habitat, and things that
3 the Applicant has developed. After looking at that
4 report and looking at the biological assessment, the
5 biological assessment identifies that riparian area and
6 talks about it contextually, but there's not a lot of
7 data on it.

8 I couldn't -- what I keep kind of coming back
9 to is, you know, I don't know much about that system.
10 Honestly, after the rains this morning, there's part of
11 me that wishes that I was still there because I could
12 drive out and take a look at how it functions.

13 But my request to the Applicant is that in that
14 publication it identifies that a minimum setback from a
15 riparian area between 50 and 150 feet is a best
16 practice.

17 So I was going to ask the Applicant if they
18 would be willing to do a 75-foot setback from the top of
19 that -- or from the top of that wash or riparian area.
20 It's fairly deep, but my thought was that it would be
21 75 feet unless otherwise advised by Game and Fish.

22 Because I know they're going to continue to do
23 consultation with Game and Fish, but I was hoping that
24 something in the CEC and their mitigation measures could
25 include that.

1 Now, I will say that you haven't figured out
2 the design, and I understand that. And the preliminary
3 design looks like it's, like, 260 feet away from the
4 wash. So that might seem moot, but I think until you
5 finalize the design, I would just like to know, you
6 know, once you're out there that you're kind of
7 conscious of that buffer on the riparian corridor on the
8 wash. So that's my request, Mr. Chair.

9 CHAIRMAN STAFFORD: Thank you. Which witness
10 is that directed towards?

11 MR. DERSTINE: Probably Ms. Justus.

12 MEMBER HILL: Ms. Justus is my guess. And I
13 guess it wasn't exactly a question. Kind of. It was a
14 request.

15 MR. DERSTINE: Well, maybe Mr. McClellan has
16 the say, but I think that the request, as I understand
17 it, Member Hill, is to include in our mitigation
18 measures, which will be an exhibit to the CEC for the
19 plant, that we would include a 75-foot setback unless
20 otherwise advised by Game and Fish is what I wrote down.

21 MEMBER HILL: That's exactly it.

22

23 PANEL ONE (Recalled)

24 FURTHER DIRECT EXAMINATION (Cont'd)

25 Q. (BY MR. DERSTINE) Any concerns with that,

1 Ms. Justus or Mr. McClellan?

2 A. BY MS. JUSTUS: Thank you.

3 I will note when we get to the discussion of
4 some of the Applicant proposed conditions that Member
5 Hill's concern is addressed in there.

6 A. BY MR. McCLELLAN: I'll just mention, no
7 concerns from me.

8 MEMBER HILL: Thank you.

9 MR. DERSTINE: And if the language in our
10 mitigation measures, Ms. Justus, is slightly different
11 than as it was framed by Member Hill, are we okay using
12 that language as she stated on the record, or maybe
13 we're using more.

14 A. BY MS. JUSTUS: Yes. The proposed measure is
15 actually a greater distance than Member Hill requested.

16 MEMBER HILL: Awesome. Thank you. I would hug
17 you right now if I was in the room.

18 CHAIRMAN STAFFORD: Member Hill, did you
19 receive a copy this morning of the proposed conditions
20 from the Applicant? Those were sent to Tod to be sent
21 out to the remote members.

22 I'm seeing nods from Mr. Derstine.

23 MR. DERSTINE: We did.

24 MEMBER HILL: I have not, but I'll keep it open
25 in case Tod is working on it. But keep going, guys. If

1 I have a problem, I'll let you know.

2 CHAIRMAN STAFFORD: Okay.

3 MEMBER HILL: I don't want to delay you.

4 CHAIRMAN STAFFORD: Member Little, you had some
5 questions.

6 MEMBER LITTLE: Yes, Mr. Chairman. Thank you.

7 I apologize if this takes a little while. I'm
8 hoping it won't take too long, but I read through --
9 well, I read the whole of both applications.

10 But in reading through Exhibit J, the Applicant
11 provided detailed descriptions of all the interactions
12 that they have had with stakeholders, the public, other
13 stakeholders, as well as pictures of poster boards and
14 copies of comment sheets. Basically, all the
15 information that they have exchanged with stakeholders,
16 which I really appreciate. We don't always see all of
17 that. Sometimes we have to ask for it. So I appreciate
18 all of that.

19 But in reading through all of those things, I'm
20 just -- I would like to follow up or follow through on
21 some of the things that I read, some of the comments
22 that were made, some of the questions that were asked by
23 the public, and just ask the Applicant to let us know
24 how they responded, if I may.

25 So I'm going to try and follow along. There's

1 no page numbers in some of these things, so I'll try to
2 be as clear as I can.

3 CHAIRMAN STAFFORD: And you're looking at
4 Exhibit J to which application? For the plant or the
5 line?

6 MEMBER LITTLE: They're the same.

7 CHAIRMAN STAFFORD: The same. Okay.

8 MEMBER LITTLE: One of the members of the
9 public -- or I guess it was a consultant -- no.
10 Community member asked about or, basically, mentioned
11 the concern that the project is a partnership or is
12 being designed to serve a large load that is planned for
13 the area.

14 And I would just like to hear from the
15 Applicant what -- now, they have demonstrated very well
16 the need for the project on their system, and I would
17 just like to hear their response to that question about
18 plans for the future in the area and if the project is
19 being designed to serve a known, planned load, large
20 load.

21 A. BY MR. McCLELLAN: So when SRP looks at our
22 resources, we don't attribute any single resource to a
23 particular customer. We look at all the customers that
24 are coming into our system, and then we build out a
25 resource portfolio to meet those needs.

1 So the Marigold Energy Center is to serve all
2 of our customers. So that includes growth in the
3 residential, commercial, and our large customers as
4 well. It's not earmarked or identified for any single
5 large load that's coming into our service territory.

6 MEMBER LITTLE: And your plan is for the cost
7 of this project to be included in rate base, I'm
8 assuming, for everybody.

9 A. BY MR. McCLELLAN: Yes.

10 MEMBER LITTLE: Everybody gets a piece of it.

11 A. BY MR. McCLELLAN: Yes.

12 MEMBER LITTLE: Thank you.

13 MR. DERSTINE: Member, I just want to follow up
14 with Mr. McClellan.

15 Q. (BY MR. DERSTINE) So some of the projects that
16 have been before the committee were projects that were
17 specifically dedicated to or the off-taker was a data
18 center or a large-load customer. This is not one of
19 those projects.

20 A. BY MR. McCLELLAN: That's correct. It is not
21 for a single large-load, data-center customer. It will
22 serve all of SRP's customers.

23 MEMBER LITTLE: I'm thinking of a project
24 that -- or a case that we had where SRP was going to
25 serve, I believe, Intel, and there was some fairly large

1 costs associated with undergrounding part of the
2 transmission -- or part of the line. And because it was
3 specifically for that project, they paid for it, if I
4 recall.

5 A. BY MR. McCLELLAN: That's correct. When our
6 large customers request interconnection into our system,
7 we have a process that they go through and they submit
8 that application. We review their interconnection
9 request and any upgrades that are required. You know,
10 if it's a dedicated switchyard, new transmission lines,
11 or additional network upgrades on our transmission
12 system, that customer will pay for those upgrades.

13 MEMBER LITTLE: Thank you.

14 There was some discussion or there was some
15 interchange back and forth between a member of the
16 public who offered and then was subsequently hired, I
17 suppose, to do -- or I gather just to do weed control on
18 some of the properties that you own that are not
19 under -- not being actively farmed.

20 What does that weed control entail? Mowing?
21 Chemicals?

22 A. BY MS. HALLOWS: That included a process called
23 discing. And I would like to tee that up to
24 Mr. McClellan because I don't actually know what that
25 means.

1 A. BY MR. McCLELLAN: Yeah, so it's just a process
2 where they would go through -- and a disc is a farm
3 implement that looks a lot like it sounds. It's got
4 discs that actually cultivate the ground, and then it
5 turns the weeds underneath. And that is in those areas
6 that aren't farmed, when it rains, you'll have some
7 weeds come up.

8 So we hired somebody, I believe from the local
9 community, to actually do that for us to really control
10 the spread of some of those potentially noxious weeds to
11 nearby properties.

12 MEMBER LITTLE: Thank you. I'm sure that the
13 public knows very well what discing is in this area.

14 A. BY MR. McCLELLAN: Yeah, I'm sure they can
15 explain it better than I can.

16 MEMBER LITTLE: Thank you.

17 There was a number of questions that were
18 raised by the Ak-Chin community, and I noticed that SRP
19 provided a project overview to the community tribal
20 leadership and staff. And I'm wondering whether -- and
21 then there has been, subsequent to that, other meetings
22 with Native American tribes in the area.

23 I'm wondering whether you have a sense of how
24 well that was received? Do you think that they feel
25 like their answers were answered -- or their questions

1 were answered sufficiently?

2 A. BY MS. LAURENCE: Yes. We did have some
3 meetings with the tribal communities, including a
4 presentation that we gave at a Four Southern Tribes
5 working group.

6 During that time, there were a number of
7 back-and-forth questions, and I felt that the discussion
8 was very productive and that we were able to answer
9 their questions. They had a few follow-up questions
10 asking for some information, and we provided all of
11 that.

12 MEMBER LITTLE: Thank you.

13 I have a similar question about the meeting
14 with the Shamrock Farms Dairy. I know the information
15 that was provided in Exhibit J listed off, you know, the
16 concerns that Shamrock initially expressed, and I'm
17 wondering what the status of the work with that dairy is
18 and whether you are getting -- are continuing to work
19 with them, I guess, would be my question.

20 A. BY MS. LAURENCE: Yes, we did meet with them.
21 They had a number of questions asking for some specific
22 information, which we followed up with an e-mail with a
23 document attached that provided further information that
24 addressed all of the questions and concerns that they
25 had.

1 They've not yet, as far as I'm aware, requested
2 another follow-up meeting, but we've reached out to them
3 and offered any additional meetings, any additional
4 information that they would like.

5 MEMBER LITTLE: I know that we have had some
6 questions about the impacts on livestock who can't run
7 away from a source that is objectionable to them like
8 the wildlife can. And I'm wondering whether there's
9 been any attempt to find out whether there's any
10 information available about impacts on livestock for
11 either the solar, BESS, or the thermal plants.

12 A. BY MS. JUSTUS: Thank you, Member Little.

13 We did have a number of either farm workers or
14 farm owners come to the open house and had discussions
15 with them around just sort of general potential animal
16 impacts, questions of stray voltage, questions of noise
17 or other impacts.

18 Separately, as Ms. Laurence talked about, any
19 questions from Shamrock. Not having talked to them, I'm
20 not sure if they had similar kinds of questions or
21 different, but we did provide information in discussion
22 with them and any sort of follow-up.

23 It's not an unknown topic to SRP or to a number
24 of us working on the project. So to the extent
25 questions were raised by the public in those areas or

1 potential livestock impact, we did provide information.
2 So was there, you know, a booth on it or, you know, a
3 pamphlet on it? No, but it was definitely a topic that
4 we were happy to discuss with people should it be
5 raised.

6 MEMBER LITTLE: Could you characterize the
7 information that you gave them? Is there information
8 out there available? Have studies been done?

9 A. BY MS. JUSTUS: Yes. So I'll give an example.
10 For stray voltage, there's a number of studies. And the
11 discussion we've had with people -- as you may recall
12 from my earlier statement, I'm in Wisconsin and I
13 work with -- I have done 20-plus years of transmission
14 work in Wisconsin, so it's a very frequent topic for me
15 working with farmers.

16 And to the extent anybody, whether they live
17 near a project or otherwise, have a concern about stray
18 voltage with cattle, the recommendation is always to
19 start with the load-serving entity who provides their
20 service because, typically, that is an investigation
21 that would need to happen and often is a concern about
22 the potential between how the distribution service is
23 wired into the farm and ensuring that all equipment is
24 properly grounded. That is most often the concern that
25 is identified if someone has a concern about stray

1 voltage on the farm is the interaction of the grounding
2 on the property with the distribution interconnection.

3 And there is a lot of information out there
4 around that, and I know most utilities who have
5 livestock farms within their territory often have
6 somebody on staff who is tasked with doing these
7 investigations and following up with any concerns that
8 are out there.

9 MEMBER LITTLE: What about noise?

10 A. BY MS. JUSTUS: To the extent that the
11 questions would have come up about noise, my response is
12 very similar to what we discussed yesterday that
13 Mr. Kirikian had noted in some of his responses, that
14 there are a lot of sources of noise around these farms.

15 And that for livestock in particular, what is
16 more concerning is unexpected, out of the blue, loud
17 noise. It's more of the startling effect as opposed to
18 a consistent or constant effect. But that these animals
19 are quite often exposed to much larger sources of noise
20 with equipment on the farm, et cetera. I am less
21 familiar with any specific noise studies related to
22 animals, but that generally what is concerning is, like,
23 a startling, you know, short and impactful, quick, new
24 noise that would alarm the animal.

25 MEMBER LITTLE: Thank you. I might suggest

1 that maybe this is an opportunity to gather some
2 information about that when you work with the community,
3 maybe some of the public, and SRP would be interested
4 in, even if they're just observations to gather.

5 I noticed that there was a Mr. Jake Feenstra
6 who is from Desert Cross Farm, and he asked for a
7 meeting with SRP. I'm wondering if that happened.

8 A. BY MS. HALLOWS: Yes, it did. That is the
9 Feenstra Farm, and we met with them and discussed the
10 project. And their main concerns were the loss of the
11 farmland, and I think I mentioned that when we were on
12 the tour. We were just across the street from their
13 property.

14 MEMBER LITTLE: And those houses that we saw
15 right across the street, those are on their farm.

16 A. BY MS. HALLOWS: That is correct.

17 MEMBER LITTLE: Okay. Thank you.

18 Okay. There were a whole bunch of people that
19 wrote basically the same thing, which -- and I gather
20 that they were just indivi -- or not "just." They were
21 individuals who said they supported solar and battery
22 components but asked that the board carefully consider a
23 natural gas component, asking how much water would be
24 used.

25 And I'm interested -- without a page number,

1 it's difficult for me to give you a reference here, but
2 I'm interested in whether SRP -- I'm assuming that SRP
3 responded to them. There was no response listed in the
4 table.

5 A. BY MS. HALLOWS: I can take that answer for you.

6 Those were sent via some sort of a
7 crowdsourcing platform which you couldn't reply to. So
8 that was the difficulty that we had from that.

9 And those were sent to the corporate
10 secretary's office, which then the corporate secretary
11 would share those comments and e-mails with the board
12 prior to the board meeting.

13 MEMBER LITTLE: Thank you.

14 Okay. Now I am to the boards that were -- I
15 gather were posted for people to write concerns and
16 ideas and thoughts on.

17 And one of the concerns was that SRP should
18 partner with all of the local power companies to keep
19 the power here locally and, of course, ED3, but they
20 also mentioned San Carlos Irrigation District.

21 I'm curious whether San Carlos serves this far
22 west. Does anybody know?

23 CHAIRMAN STAFFORD: Member Fant.

24 MEMBER FANT: They do serve some parcels on at
25 least the east side of Casa Grande.

1 MEMBER LITTLE: That, I know, but I wasn't
2 sure.

3 MEMBER FANT: If they're creeping farther west,
4 I don't think so.

5 MEMBER LITTLE: I don't think so either. They
6 could certainly use some help. Just an aside.

7 And then, of course, there were many items that
8 were listed as suggestions for things that -- for
9 mitigation measures that might help offset some of the
10 negative impacts of the project to the individual
11 people.

12 One person wrote, "I have heard the land is
13 dead after panel removal," after the solar panels are
14 removed.

15 I do know that it's difficult to -- if not
16 impossible to return -- or I have heard, I should say,
17 that it is difficult, if not impossible, to return water
18 rights that have become industrial water rights back to
19 farming water rights.

20 But could the Applicant address that comment
21 about the land being dead. Things will still grow on
22 it; right?

23 A. BY MR. McCLELLAN: Yeah, I don't know exactly
24 what's meant by the land being dead.

25 I think that you could remove the facility and,

1 if you had water rights, you could return that land to
2 farming if someone wanted to do that.

3 MEMBER LITTLE: And what about returning the
4 water rights to agricultural water rights? Is there
5 anybody here today who can address that?

6 CHAIRMAN STAFFORD: Perhaps Member Meeker.

7 MEMBER MEEKER: You cannot convert a Type I
8 back to an IGFR. So if they've converted the IGFR to a
9 Type I right for industrial or other use, that cannot be
10 converted back to an IGFR, if that's what the person is
11 asking.

12 MEMBER LITTLE: Well, that clarifies that for
13 me. Thank you. And that may be what they meant.

14 We have sometimes had applicants come in and
15 present information that shows that property values in
16 the vicinity of the project -- and these have been
17 varying different kinds of projects. I don't recall
18 that I have heard one with respect to a thermal plant --
19 but the property values not dropping significantly.

20 I know that that's a big concern for anybody
21 who owns property in the -- in an area where a project
22 is being built. I'm wondering if you could just address
23 this a little bit. I know that's a very general
24 question.

25 A. BY MS. LAURENCE: Sure. SRP does not have any

1 data to support the claim that the plant itself would
2 impact property values in the area. Property values are
3 so specific to each individual property and take into
4 account many different specific characteristics, and so
5 we don't have that information for any specific or
6 general properties here.

7 Q. (BY MR. DERSTINE) Ms. Justus, you were
8 involved in the Baccara project, and I think one of the
9 issues that came up in that case was the impact on
10 property values that I think the Applicant in that case
11 spent some time addressing.

12 I think the committee is aware that not one of
13 the things that they look at or assess, or that there's
14 any good data on in terms of will there be some sort of
15 diminution in property values as a result of a project,
16 but on some level that concern was addressed in that
17 case. Can you share what the talking points were?

18 A. BY MS. JUSTUS: Yes, I can.

19 In that case, in the absence of good,
20 forward-looking data, we took examples from around the
21 Phoenix metro area where there are existing natural gas
22 plants, some of which were SRP, and took a snapshot of
23 those existing plants. Demonstrated, one, they had a
24 significant amount of residential near them in that case
25 in much closer proximity than that particular case and

1 in closer proximity than discussed here.

2 And then showed on a generalized basis that the
3 surrounding community within a half a mile was sort of
4 the benchmark of what surrounding is, that the property
5 values within that half mile had grown at a similar rate
6 over the past 10 years as the Phoenix metropolitan area
7 as a whole.

8 So it's not to say that's a definitive study,
9 but it was sort of the best we could come up with as an
10 example of data, an example of what has happened with
11 plants already in place with residential development
12 around them and did that show a diminution in value or
13 discourage other residential building around these
14 plants and showed that it did not.

15 And, in fact, one of the examples we used was
16 Santan, which is currently developing fairly high-end
17 residential, basically, across the street. So, again,
18 it's purely anecdotal, but it is local to the Phoenix
19 area at least -- granted, a more suburban area -- to
20 show examples of what's happened with other natural gas
21 plants in the community.

22 MEMBER LITTLE: Thank you.

23 My next question has to do -- somebody asked
24 about smoke direction in case of a fire.

25 Is the prevailing wind west to east here? Does

1 anybody know what the prevailing wind direction is?

2 A. BY MR. HARBIN: I believe in the air quality
3 modeling report we do provide a wind rose, which is a
4 summary of the five years of meteorological data.

5 And the prevailing winds do shift from west to
6 east to east to west, and it's pretty evenly split
7 between those two, if I'm remembering correctly.

8 MEMBER LITTLE: I recall thinking when I was
9 living in Casa Grande that California was blowing across
10 Casa Grande. Maybe sometimes New Mexico came blowing
11 the other way. Thank you.

12 And somebody brought up flood mitigation. They
13 mentioned that Stanfield suffered a 100-year flood in
14 1983 and another one in 1994. The Santa Cruz River, the
15 Greene Wash, and the Santa Rosa Wash all overflowed,
16 devastating Maricopa. I recall the one in 1994 and the
17 entire surrounding area around Maricopa.

18 I would like, for the record, to have the
19 Applicant address that concern.

20 A. BY MR. McCLELLAN: So when you do the civil
21 design for these facilities, you definitely look at
22 those 100-year events, if not even in excess of that.

23 But we will provide designs that will cover a
24 100-year flood event. You'll be able to control the
25 stormwater and different runoff from the facility. So

1 I'm confident that as we go through that process and
2 those designs, we'll have a facility that will be
3 prepared to handle those type of flood events.

4 MEMBER LITTLE: And you're prepared to assure
5 the community that there won't be any pollutants that
6 will leave any of the areas of the project.

7 A. BY MR. McCLELLAN: Yeah. The design controls
8 that we'll put in place will be to prevent any
9 pollutants from leaving the facility. We've talked
10 about it being zero liquid discharge, and those designs
11 would be in place to prevent that.

12 MEMBER LITTLE: Thank you.

13 CHAIRMAN STAFFORD: And that will apply also to
14 your evaporative ponds that will have to be designed to
15 where they can withstand the rainfall and not overflow;
16 correct?

17 A. BY MR. McCLELLAN: Yes. They will be designed
18 for that and that will also be a part of the aquifer
19 protection permit that will cover those facilities.

20 MEMBER LITTLE: There was a question also about
21 regenerative and organic farming. And I'm not sure that
22 any of us here can answer this question, but I'm
23 wondering if anybody knows whether or not organic
24 certification is affected by proximity to thermal plants
25 or BESS. There's some pretty rigid requirements in

1 place for organic certification. I do know that.

2 A. BY MR. McCLELLAN: I don't know that answer.

3 MEMBER LITTLE: I'll ask my brother. He's an
4 organic farmer.

5 And it was mentioned both in the public comment
6 period on Monday, as well as also in this document, that
7 APS has a steam plant in Tempe that blows off steam from
8 time to time. It's very loud.

9 Wondering if that is something that this design
10 of plant will have happen; and, if so, if the people
11 around the area will be notified to expect it.

12 A. BY MR. McCLELLAN: I actually had the
13 opportunity to talk with that member of the public about
14 that facility just for some clarification. He was
15 talking about the Ocotillo facility that's located in
16 Tempe. That facility has actually since then undergone
17 a repowering, so it doesn't have a steam cycle anymore.
18 It's a simple-cycle facility just like the one we have
19 here in Marigold.

20 So what that means is you do not have a steam
21 cycle and there is no high-pressure steam on site, and
22 there is no possibility for the release of steam that
23 could cause that loud sound that you would hear if that
24 were to occur at a steam facility.

25 MEMBER LITTLE: Thank you. That's good to have

1 on the record also.

2 And there was a question about stranded assets,
3 asking if the Applicant is concerned that the natural
4 gas infrastructure will become a stranded asset with the
5 continued falling prices of solar and BESS, and I would
6 add technological advances.

7 A. BY MR. McCLELLAN: So we went through the
8 alternatives analysis, and we looked out through 2050
9 and showed that this is the lowest cost alternative for
10 SRP to provide customers with reliable, affordable power
11 from a stranded asset perspective when you compare it to
12 solar and battery energy storage systems.

13 This facility plays a much different role than
14 those types of resources, so what it's really there for
15 is to be -- not to run very often and be available to
16 provide that firm capacity and support reliability when
17 we need it. So we don't believe that there is any issue
18 with it becoming a stranded asset in the future.

19 And then, furthermore, when looking at that
20 alternatives analysis, that payback period is about
21 eight years. So it actually provides that value over a
22 very quick period of time.

23 MEMBER LITTLE: Thank you. That's good to have
24 on the record. As an old utility planner, I'm aware
25 that they're very different, peaking plants.

1 I think I have one more question, and then I
2 wanted to talk a little bit about the lighting, color
3 example, and stack color examples that were provided to
4 the public at the open houses.

5 There was -- I'm not exactly sure what this --
6 oh, this was a summary of Open House No. 3. And
7 somebody pointed out, I guess, that a few weeks ago at
8 the Pinal County Board of Supervisors meeting, it was
9 either SRP or NextEra that offered the City of Coolidge
10 a grant of \$600,000. It was calculated at \$1,500 per
11 megawatt.

12 And then the question was will SRP be providing
13 a grant for the Stanfield community calculated at \$1,500
14 per megawatt, which at 1,675 megawatts is \$2,512,500, I
15 guess, since a precedent has been set.

16 And the question was will a grant of this
17 amount be available to the Stanfield community, and I'm
18 just curious what kind of a response you gave that
19 person who asked that question.

20 A. BY MR. McCLELLAN: So when we enter into our
21 power purchase agreements with third-party developers,
22 we typically do include a community support provision in
23 those contracts. We would expect to include a similar
24 type provision in the contract we have with NextEra for
25 the battery and the solar on this project. And,

1 typically, those amounts align with the size of the
2 project on, like, a dollar per megawatt basis.

3 MEMBER LITTLE: And that's for the solar.

4 A. BY MR. McCLELLAN: And the battery storage.
5 Correct.

6 MEMBER LITTLE: Not the thermal plant.

7 A. BY MR. McCLELLAN: Well, we will be evaluating
8 community support as part of the thermal plant as well,
9 and that will align with the size of the facility.
10 We'll be working with the community on what that support
11 may look like.

12 MEMBER LITTLE: Good. Thank you. I just would
13 like to have all these answers on the record, and I
14 appreciate you taking the time to answer them.

15 There also, evidently, was a statement about
16 property tax on battery storage. It was this person's
17 understanding that property tax is paid to Arizona State
18 with only a few -- a few crumbs coming back to the local
19 area, quote/unquote. And I'm wondering what kind of
20 response you gave to that person during that open house,
21 if you recall.

22 A. BY MS. LAURENCE: I don't have the breakout of
23 the taxes in front of me at the moment.

24 What I do know is that SRP does pay an in-lieu
25 contribution, and those payments go to Pinal County in

1 this instance, and then Pinal County distributes that
2 much like they would anybody else's taxes.

3 MEMBER LITTLE: Thank you. I remember hearing
4 that in the testimony, but it would be good to put it in
5 response to this question right here.

6 And I would urge you, of course, which I'm sure
7 you will, to consider all of the suggestions that -- you
8 know, in your work with the community, to consider the
9 suggestions that people -- individuals wrote on all
10 those boards. There were some good suggestions, I
11 thought.

12 We go back to the colors and lighting. I don't
13 think we've addressed that. I'm just wondering if maybe
14 you would like to spend a minute to talk about the
15 people's responses.

16 I was very surprised that they chose the dark
17 brown over light gray or beige which would seem to fade
18 into the background. And thought it was interesting
19 that there were four different plants, some of which
20 were very busy plants and some of which were kind of
21 clean-looking plants.

22 If you could just discuss that a little bit, I
23 would really appreciate it.

24 A. BY MS. HALLOWS: Absolutely. We wanted to look
25 for things that we could ask preferences on. So this

1 was something different that we tried out this time, and
2 I think we were surprised also.

3 But I also think that this is something that
4 can be added to our collaboration with the community to
5 make sure that those are the right preferences and that
6 we can work them into our design process.

7 MEMBER LITTLE: And what were the results, for
8 the record?

9 A. BY MS. HALLOWS: It looks like we had
10 preferences on -- for the lighting color it was tied
11 between warm and neutral white. And then stack color,
12 it looks like the matte brown was the winner.

13 MEMBER LITTLE: Thank you.

14 And, Mr. Chairman, I may have a few more
15 questions when I have a minute to go through the rest of
16 my notes, but I thank you for responding to all of that
17 public interaction questions.

18 CHAIRMAN STAFFORD: Thank you, Member Little.

19 Are there any other questions from other
20 members?

21 Member Fant.

22 MEMBER FANT: Two questions, Mr. Chair.

23 The first, and we talked about this yesterday,
24 something SRP could do, and this is between SRP and the
25 people of Stanfield, I think is help Stanfield

1 incorporate if they want to be an incorporated entity.
2 I think that would give them some political power which
3 they currently lack.

4 And I'm relatively certain -- I don't want to
5 say absolutely certain that an incorporated entity gets
6 a larger share of the county taxes. The monies which
7 SRP would pay in lieu of taxes to the county would work
8 back through to a larger amount to Stanfield if they're
9 an incorporated entity. So I just mention that,
10 especially if the power plant is included in the Town of
11 Stanfield. That's one thing I want to throw out there.

12 The Fire District Assistance Tax, I've been
13 mispronouncing it. FDAT is standard, countywide on a
14 state level. The reason big cities have bigger fire
15 districts is they put municipal sales taxes to their
16 fire districts also. But they will get a big chunk of
17 that county money, the fire districts here in this area.

18 Dang, I forgot my second question. I was
19 pontificating.

20 A. BY MR. McCLELLAN: Member Fant, could you
21 repeat the FDAT? What is that?

22 MEMBER FANT: FDAT is -- I think it's Fire
23 District Assistance Tax. It's just called FDAT by the
24 fire districts.

25 The FDAT tax will go up significantly here with

1 your gas plant on site. Now, how those funds get
2 allocated to West Pinal or to Stanfield, you know, it
3 depends who provides your coverage, et cetera,
4 et cetera, but it may affect them both.

5 So I can't remember my second question. Old
6 age.

7 CHAIRMAN STAFFORD: Member Comstock.

8 MEMBER COMSTOCK: Thank you, Mr. Chairman.

9 I just had one question that I had notes on
10 from our site tour.

11 I'm not sure which stop it was, but we were
12 standing in front of fields that did have crops in them,
13 and we looked at a pump station, and we talked about how
14 fissures might be controlled under the solar panels in
15 those areas, and we were going to see how that might be
16 addressed.

17 I know that SRP owns the land, but who would --
18 if you started seeing subsidence under the solar panels,
19 I know that we don't have jurisdiction over those, but
20 in terms of the area, there is a history of fissures and
21 how that might be addressed.

22 A. BY MR. McCLELLAN: Typically, when you design
23 these facilities, you would do a detailed geotechnical
24 analysis, and you would utilize those studies to inform
25 your foundation design for the racking systems that hold

1 up those solar panels. So if there was evidence of
2 subsidence or the potential for that, you could make
3 adjustments to that design. So, example, you might have
4 a slightly deeper pile, which is a foundation. It's
5 just an I-beam that you drive into the ground that would
6 support these facilities.

7 So through that geotechnical analysis, you can
8 incorporate that into your design if you find that those
9 conditions may be present.

10 MEMBER COMSTOCK: Thank you. And one
11 supplemental to that.

12 I think we discussed that it was a little bit
13 unusual to have operating wells, pipelines, and ditches
14 inside of the solar field. Generally, we see, if you
15 buy the land, it becomes all panels and there's nothing
16 in there. I know we discussed that there still will be
17 some operational wells in there and maybe ditches.

18 I just wanted to talk a little bit about the
19 safety of operators inside of that with open ditches and
20 water running and so on. How will SRP address the
21 workers' safety in there?

22 A. BY MR. McCLELLAN: So on the solar facility,
23 that will be addressed by NextEra. But I think that
24 there are a number of things that you could do,
25 including separation from those areas with a fence,

1 separation from the facilities just to make sure that
2 there's adequate room to get vehicles in there,
3 equipment to be able to do maintenance and access those
4 areas. That's something that will be looked at very
5 closely as we work through the design.

6 MEMBER COMSTOCK: Thank you.

7 CHAIRMAN STAFFORD: Member Fant, you had an
8 additional question.

9 MEMBER FANT: Thank you, Mr. Chair. I
10 remembered.

11 And I am not a real estate person, but I throw
12 this out. Is Stanfield aware that Interstate 11 is
13 planned to go through this area? And I would think that
14 would be the biggest driver of real estate values. I
15 throw that out for anybody's comment, because I'm not a
16 real estate person.

17 CHAIRMAN STAFFORD: Thank you.

18 Member Meeker.

19 MEMBER MEEKER: Mr. Chair, for the record, I
20 just want to correct my earlier statement that while
21 converting a Type I right back to an IGFR is generally
22 permanent and irreversible, under A.R.S. 45-469(0) there
23 are very, very narrow limitations where the director
24 could restore an IGFR. Typically, that is when the
25 right was reverted involuntarily, and that would require

1 the former rightholder to go through an application
2 process that would then go to the director at his
3 discretion to reverse that right. So I just want to
4 clarify that for the record.

5 Generally, for the purposes of what the
6 commenters were asking, converting a Type I back to an
7 IGFR is permanent and irreversible.

8 CHAIRMAN STAFFORD: Thank you.

9 Any other questions from members?

10 (No response.)

11 CHAIRMAN STAFFORD: Well, we have -- oh, Member
12 Fant. Is this a question or comment?

13 MEMBER FANT: Both, I guess.

14 I drove through Stanfield and down to Kortsen
15 Park last night. I saw a fire truck in Stanfield. I
16 don't know if they have an ambulance or not, but that's
17 something they could do with their FDAT resources.

18 CHAIRMAN STAFFORD: All right. And the
19 Applicant has a new exhibit.

20 Mr. Derstine, No. 26A and B.

21 MEMBER LITTLE: Mr. Chairman, can you give me a
22 minute to figure out how to get back to all of that?

23 CHAIRMAN STAFFORD: I have a hard copy right
24 here, Member Little.

25 MEMBER LITTLE: Thank you. It's not on my

1 iPad.

2 MEMBER FONTES: Mr. Chairman, was that exhibit
3 sent out to the online members?

4 CHAIRMAN STAFFORD: Yes, it was.

5 MS. GILBERT: I want to confirm the other
6 members have access on their iPads. I think it should
7 be loaded as 20 -- it might be 26, 27.

8 MEMBER LITTLE: It's not on mine. I don't know
9 about others.

10 CHAIRMAN STAFFORD: No, but it was -- we have a
11 hard copy. It's not on the tablet yet. I've marked it
12 as one exhibit, 26, parts A and B.

13 It's been e-mailed to the online members.
14 Member Hill has it. So I'm assuming that she got it in
15 an e-mail from Tod the same as the other members.

16 MEMBER HILL: Yes. Member Meeker and Member
17 Fontes were on the e-mail distribution list, so they
18 should have it as well.

19 CHAIRMAN STAFFORD: Okay. Excellent.

20 MEMBER LITTLE: It's on my iPad as additional
21 proposed CEC conditions, not Exhibit 26. Just so we can
22 find it.

23 MEMBER DiCICCIO: It's on mine.

24 CHAIRMAN STAFFORD: Great. That's what it says
25 on the document, but it's been marked as Exhibit SRP-26.

1 MEMBER LITTLE: Right.

2 MEMBER FONTES: Very helpful, Member Little. I
3 found it. Thank you.

4 MR. DERSTINE: Yes. SRP-26, after we adjourned
5 for the day or recessed for the day yesterday, the team
6 met and we worked through some proposed CEC conditions
7 that we viewed to be responsive to things that we heard
8 from the community and from committee members.

9 I think one of these items includes the setback
10 that we discussed with Member Hill from the wash as well
11 as others. Whenever it's appropriate, we can walk
12 through that. I know the committee members probably
13 haven't had a chance to fully review it. If we want to,
14 at some point in time, give committee members an
15 opportunity to review it and answer questions about what
16 we've put into SRP-26, we're happy to do that.

17 CHAIRMAN STAFFORD: You're looking now -- let's
18 start with the first one for the transmission line.
19 That one is -- those additional conditions seem pretty
20 straightforward.

21 MR. DERSTINE: Right. We heard about the
22 coordination with Pinal County over the traffic study
23 and minimizing impacts to traffic. That's No. 1 of the
24 proposed condition for the transmission CEC.

25 And then Condition 2 for the transmission CEC

1 is Applicant will obtain applicable stormwater and
2 industrial control permits for construction activities.

3 I think there was some concern that maybe that
4 was vague or needed to be stated somewhere, so we
5 addressed it here.

6 CHAIRMAN STAFFORD: Okay. And those are from
7 the county; correct?

8 MR. DERSTINE: Yes.

9 CHAIRMAN STAFFORD: Okay. And then B is
10 proposed conditions to CEC 268, the power plant.

11 The first one, we do the same traffic study for
12 construction of the project. The second one addresses
13 the emergency response plan.

14 MR. DERSTINE: The first one, the traffic
15 study, identical to the transmission Proposed Condition
16 No. 2, was the -- and we heard some questions about or
17 requests to put a definite condition around the
18 emergency response plan. That's there in Paragraph 2,
19 and that includes that the Applicant will make publicly
20 available through the website the contact information
21 regarding appropriate emergency management organizations
22 if there are questions or there's concerns.

23 CHAIRMAN STAFFORD: Okay. And then 3, I think
24 we have -- didn't we have a provision in the standard
25 provision CEC that covers that too? I think the

1 specific mention of ammonia I think is different for
2 this one.

3 MR. DERSTINE: Yeah, I think we, yeah, heard
4 maybe as a theme from the committee that you wanted to
5 see something more detailed about some of these issues,
6 and so that was the focus of 3, although I do think it's
7 also already covered by one of the standard conditions.

8 MEMBER LITTLE: Mr. Chairman.

9 CHAIRMAN STAFFORD: Yes, Member Little.

10 MEMBER LITTLE: What are the applicable laws
11 and regulations? Are they county? Are they state? Are
12 they federal?

13 MR. DERSTINE: In which condition are you?

14 MEMBER LITTLE: I'm sorry. No. 3.

15 Q. (BY MR. DERSTINE) No. 3. Can you speak to
16 that, Ms. Laurence or Mr. McClellan?

17 A. BY MR. MCCLELLAN: This is a little outside my
18 area of expertise, but I think, typically, for handling
19 of hazardous materials, OSHA would apply here. I think
20 there's also some state and federal regulations that
21 would apply to these as well, but we can look up and
22 find out more information on that as well.

23 MEMBER LITTLE: Thank you.

24 MR. DERSTINE: I think ADEQ may have a role in
25 these as well. Maybe Member Drago can give us some more

1 information on the ADEQ's role or responsibility in this
2 area.

3 MEMBER DRAGO: Yes. Thank you, Mr. Derstine.

4 It's correct that ADEQ has a waste programs
5 division, and they would inspect the facility for proper
6 storage and handling and disposition of the waste.

7 CHAIRMAN STAFFORD: Member Fontes.

8 MEMBER FONTES: Yes, sir. Thank you.

9 With respect to Item No. 1, it just says a
10 study. I'm used to seeing a transportation management
11 plan for large-scale power plant construction that I've
12 been on in most counties in about five different states
13 in the U.S.

14 Can we put a little bit more on that in terms
15 of that you're going to put a plan together and flow it
16 down to your EPC contractor? I know you do that, but
17 just something beyond the study is what I'm asking for
18 consideration here for the county and the public.

19 MR. DERSTINE: I'll ask Mr. McClellan to speak
20 to it, but I think the intent there with Condition 1 is
21 that we would perform a study and then prepare some -- a
22 direction and a plan in terms of how SRP and its various
23 contractors will look to minimize --

24 MEMBER FONTES: As you have artfully informed
25 us, Mr. Derstine. For the absence of doubt, I'm

1 requesting this. Thank you. I appreciate it.

2 MR. DERSTINE: Thank you, Member Fontes. I
3 appreciate the question.

4 Q. (BY MR. DERSTINE) Mr. McClellan.

5 A. BY MR. MCCLELLAN: I think that's all correct.
6 So this would look at traffic study perspective, what
7 are the number of trips that we would see as part of the
8 construction, what are the loads that you would see as
9 part of the construction.

10 We would look at the pathways that you would
11 have to bring in the deliveries, the craft traffic, how
12 you get access to the site. Check and see whether those
13 roads are suitable for that traffic.

14 And then I think some of the outcomes of that
15 study would be do we need to do anything to improve
16 these roads to ensure that they're safe, do they have
17 adequate turning radiuses to handle trucks, trailers,
18 things that would be coming onto the site, and then that
19 would be not only part of how our EPC contractor would
20 manage the site, they would also be responsible for any
21 of those improvements that are required for those access
22 roads.

23 MEMBER FONTES: I think we're saying the same
24 thing. What I'm suggesting is just add that you'll
25 implement and inform the public of the transportation

1 management plan as additional wording, just beyond
2 saying you're going to do a study, for a little more
3 positive action and impact with the public.

4 MR. DERSTINE: Thank you for that, Member
5 Fontes. The intent here is that we would develop that
6 plan and then share it with the public on our project
7 website, and we will do that.

8 CHAIRMAN STAFFORD: Okay. So there would be a
9 study that would be used to develop a plan, and then the
10 plan would be available on the website.

11 MR. DERSTINE: Correct. So that the public is
12 aware of where the major traffic patterns will be, how
13 the ingress and egress from the project during
14 construction will be handled, and that they're aware of
15 those activities and where those primary routes will be,
16 and then they can view it on our website.

17 And if there's feedback or concern about what
18 we've developed, then we're certainly open to
19 suggestions.

20 CHAIRMAN STAFFORD: And then the study would
21 determine, like, when the school buses are going through
22 so you don't have your traffic coinciding with that
23 traffic.

24 MR. DERSTINE: We'll coordinate and minimize
25 our impacts on all the normal day-to-day activities of

1 the community.

2 CHAIRMAN STAFFORD: Member Fontes.

3 MEMBER FONTES: My ask is that we just add that
4 in there in a couple of words, "and implement a
5 transportation management plan," or whatever you feel
6 comfortable with.

7 "A study" just seems a little broad and open
8 without kind of a mitigation measure or an action plan
9 from my perspective.

10 MR. DERSTINE: Understood. I think that's a
11 good suggestion. Thank you.

12 CHAIRMAN STAFFORD: No. 4, that has to do with
13 the noise limits. They also wouldn't apply to SRP. I
14 think we had discussion earlier about the Pinal County
15 noise limits don't apply to power plants at all.

16 But this is a voluntary commitment to maintain
17 -- this is for normal operations and for -- not for
18 construction, though; correct?

19 MR. DERSTINE: Yeah. This would be, I think,
20 intended to cover normal operations, both daytime and
21 nighttime, and we're using the noise limits that are
22 prescribed for industrial zoning.

23 And so even though, as you correctly note, one,
24 SRP is not going to be subject to the county regulations
25 and, in fact, the county regulations expressly except

1 noise limits or restrictions on power plants, but we're
2 voluntarily agreeing to abide by these limits.

3 CHAIRMAN STAFFORD: Okay. And where is the --
4 where would the measurement for those limits be made?
5 At the fence line? At the designated receptors
6 previously --

7 MR. DERSTINE: I'm going to ask Ms. Justus. We
8 talked about that in terms of where the monitoring -- or
9 where the noise limits will and should be measured, and
10 I don't know if that was -- if we determined that that
11 was at the locations that were identified in our noise
12 study or at a different location.

13 MEMBER FONTES: Mr. Chairman.

14 CHAIRMAN STAFFORD: Yes, Member Fontes.

15 MEMBER FONTES: I recall in other cases we just
16 had it at the fence line because it's hard to look at
17 from the receptor sites. For consistency, I just offer
18 that.

19 A. BY MR. McCLELLAN: I would suggest we would
20 amend that to property line.

21 MEMBER FONTES: Yes. That's consistent with
22 what we've done before.

23 MR. DERSTINE: We'll note that and make that
24 clear in the condition, I guess, as we get there.

25 CHAIRMAN STAFFORD: Okay.

1 MR. DERSTINE: Five was Applicant will ensure
2 applicable stormwater, dust control permits.

3 My understanding is ADEQ has responsibility for
4 the stormwater permit, and I think the county is
5 responsible for the dust control.

6 CHAIRMAN STAFFORD: Dust control.

7 MR. DERSTINE: Right. Mr. Harbin is shaking
8 his head, so I think I'm right.

9 A. BY MR. HARBIN: Yes, that is correct.

10 CHAIRMAN STAFFORD: The county does it because
11 it's been delegated from DEQ; correct?

12 A. BY MR. HARBIN: Correct.

13 CHAIRMAN STAFFORD: All right. And then,
14 Member Hill, No. 6, this is the condition you were
15 excited for.

16 MEMBER HILL: And I remain excited about it. I
17 really appreciate this consideration. I have hopes for
18 this wash in the long run, and this will make that
19 possible.

20 I think as this area changes and shifts, not
21 that we're in a position to be thinking about
22 greenbelts, but I do think that this is a corridor that
23 would make sense for that. It would help manage
24 flooding and other things. So I appreciate you guys
25 leaving space for that.

1 MR. DERSTINE: Condition 7, this has to do with
2 the lighting and addresses any sort of concerns. I
3 guess the public expressed concerns about what sort of
4 lighting would be used, and our attempt here was to
5 address those and include a condition that we would
6 comply with the dark-sky guidelines. There's not any
7 sort of specific rules or regulations, but we would
8 comply with the guidelines.

9 Oh, Ms. Gilbert is pointing out to me that we
10 have also incorporated in this Condition 7 that last --
11 I guess the last sentence: Exterior project facility
12 structures will utilize a low-reflective, earth-tone
13 color that blends with the surrounding landscape.

14 That was intended to address the color
15 selection that we heard from the public, and I guess the
16 brown was the winner. Brown it will be.

17 A. BY MS. HALLOWS: Matte brown.

18 MR. DERSTINE: Matte brown. Apologies. I
19 didn't have the color wheel in front of me.

20 Eight addresses the noxious weed concern and
21 that we'll comply with the state and Pinal County
22 requirements on managing and limiting noxious weeds.

23 I think you've already heard that we're -- SRP,
24 even on the portions of the land that's owned by SRP, is
25 already working to manage and maintain weeds and will

1 continue to do that out into the future, and happy to
2 have that as a condition to the CEC.

3 I think Condition 9 was a concern that was
4 probably raised by Member Hill, but I think was seconded
5 by Member Little and maybe other members. That will
6 identify areas for continued wildlife movement using
7 wildlife-friendly fencing. I don't know what
8 wildlife-friendly fencing is, but I think I recall from
9 our late-night discussion up on the ninth floor that
10 it's a short fence where animals can continue to pass
11 through in and out of the property, as well as there may
12 be other considerations that we can make in order to
13 ensure that -- try to minimize our impact on wildlife
14 movements.

15 CHAIRMAN STAFFORD: But not the substation or
16 the plant site itself. Those would have to be --

17 MR. DERSTINE: More concerned, I think -- and
18 Mr. McClellan can speak to that -- about small animals
19 in the substation. It would not apply to that.

20 CHAIRMAN STAFFORD: Okay. Good.

21 MEMBER HILL: Yeah, I suggest that it's
22 friendly for wildlife to fence them out in places that
23 they could get injured or hurt or stuck. So that's good
24 wildlife-friendly fencing too.

25 MR. DERSTINE: Thank you.

1 I think 9 relates to the -- well, yeah, we
2 covered 9, friendly fencing.

3 10 is our statement that we'll continue to work
4 with the community in terms of identifying needs. You
5 heard from Ms. Falk, maybe to some extent from
6 Ms. Hallows, that we've had that engagement. Member
7 Little did a nice job of maybe ticking down and
8 identifying some of the questions and things that we
9 heard in the open house and through other comments.

10 And our intent and our commitment is to
11 continue those discussions and those efforts to identify
12 what's really needed or wanted by the community, what
13 provides value, and look to implement those at the
14 appropriate time.

15 MEMBER FONTES: Mr. Chairman, Mr. Derstine.

16 CHAIRMAN STAFFORD: Yes, Member Fontes.

17 MEMBER FONTES: Thank you for indulging my
18 commentary on the obvious need for renewable natural
19 gas. I want to correct it. This county is the
20 second-largest producer of methane in the state of
21 Arizona, not the first.

22 I would like to put this -- and it doesn't have
23 to be added, but put on the record for SRP to consider
24 engaging and looking at RNG on a socioeconomic NPV, not
25 exclusively an NPV as I think it's looked at during a

1 planning process.

2 I think there's value-added there over a
3 40-year lifetime for the farmers and the effluent that's
4 produced in that area. It won't be a material input to
5 the fuel supply, but it could be an added impact for the
6 community.

7 So don't have to add it directly, but I want to
8 just go on the record to put SRP, please look at that as
9 a part of the "et cetera" in here in terms of having
10 something to give back to the community given the large
11 dairy cattle presence here. Thank you.

12 You already have anaerobic digesters in the
13 area. I checked that out too. So a lot of the
14 infrastructure is already there.

15 MR. DERSTINE: Thank you, Member Fontes.

16 Q. (BY MR. DERSTINE) Mr. McClellan, is that
17 something we can look at? And I know that it sounded
18 like from your prior testimony that SRP has evaluated
19 and considered renewable natural gas but that it's
20 something we could take a fresh look at here just given
21 the nature and the makeup of the community.

22 A. BY MR. McCLELLAN: Yes, we can explore that.

23 MEMBER FONTES: I will underscore, it really
24 maps well into your carbon reduction and climate plan
25 that I read in your annual report. And as Mr. Derstine

1 knows, I do read the annual reports in depth before each
2 hearing for various utilities in the state.

3 MR. DERSTINE: I'm sorry, Member Fontes. You
4 were tailing off there at the end and I didn't hear.
5 Maybe others did.

6 MEMBER FONTES: I read in the annual report that
7 carbon reduction is part of the climate program for SRP,
8 and this maps in real well. And I was commenting, I
9 take it as a key task to read annual reports prior to
10 hearings, as you're well aware.

11 MR. DERSTINE: I am well aware, and we
12 appreciate you doing that homework. We will.

13 CHAIRMAN STAFFORD: Member Drago.

14 MEMBER DRAGO: Yeah, thank you, Mr. Chairman.

15 On No. 10, it's been my experience when I
16 worked for a large semiconductor in Chandler, when we
17 kicked off the site, we created what they called a
18 community advisory panel. And that panel runs today,
19 many years later, on a quarterly basis. Sometimes it
20 went semiannually.

21 Do you all anticipate, when you start up this
22 community engagement, a routine quarterly, semiannual,
23 annually engagement with the community to see how things
24 are going, do a check-in, see if there are any issues
25 that need to be addressed?

1 MR. DERSTINE: The answer to that is yes. I'll
2 let Ms. Hallows or Ms. Falk give you some more
3 information, but the discussions have been around
4 starting that.

5 And I think the term that you used, Member
6 Drago, a community forum, is one that we thought was
7 appropriate, and one that we discussed, and that we
8 would have an initial community forum meeting, get the
9 information out, and then develop a cadence for those
10 and do it on a quarterly basis or whatever made sense
11 for our continued engagement with the community.

12 Q. (BY MR. DERSTINE) Tell me what I missed or got
13 wrong.

14 A. BY MS. FALK: I think you covered it.

15 MEMBER DRAGO: Thank you.

16 CHAIRMAN STAFFORD: Member Little.

17 MEMBER LITTLE: I would just like to strongly
18 second the recommendation made by Member Fontes. Thank
19 you.

20 CHAIRMAN STAFFORD: And then No. 11 would make
21 the --

22 A. BY MR. McCLELLAN: Excuse me, Chairman.

23 Member Little, the recommendation on the
24 renewable natural gas, is that what you --

25 MEMBER LITTLE: Yes.

1 A. BY MR. McCLELLAN: Okay. Thank you.

2 CHAIRMAN STAFFORD: And then No. 11 addresses
3 the noise study to make that available on the plant --
4 on the project website.

5 And then the data, the granular data that we
6 spent some time talking about, would be available upon
7 request so people can look at that and look at the
8 different pitch levels or the -- not the decibels, but
9 it was the frequencies, I think, they were talking
10 about.

11 MR. DERSTINE: Right. Apparently, yes, that
12 was -- some of the frequency considerations were raised.
13 And in the written comments or requests for conditions,
14 we're happy to share those. It's a lot of data, so we
15 would have to figure out a way to -- whether it's shared
16 in a thumb drive or some other way. I don't think it's
17 something that we can just post on our website, but
18 we'll get it in the hands of anyone who wants to see
19 that.

20 But certainly the noise study that's been --
21 that's part of the application and that was part of the
22 testimony here this week will be on the website.

23 CHAIRMAN STAFFORD: Member Hill.

24 MEMBER HILL: Thank you, Mr. Chair.

25 Having not seen that data, I do -- and

1 expecting that it's a fairly robust data set, is there a
2 chance that the SRP team could create a one-pager around
3 those other acoustic measurements that they took and
4 maybe develop a couple of graphs so that it's easier for
5 folks to kind of understand it?

6 Sometimes just graphics help a lot. So, like,
7 a one-pager as a cover to that might be helpful for
8 folks.

9 MR. DERSTINE: I'm going to look to Ms. Justus
10 to see if that's something we can do, if we can kind of
11 prepare more of a summary of that background data.

12 I would just offer that the community member
13 who has, you know, presented a number of requests and
14 conditions seems to be much more expert in noise studies
15 and the data that goes into noise studies.

16 But I think that's something we can prepare and
17 include on the website as Member Hill requested.

18 Q. (BY MR. DERSTINE) Ms. Justus?

19 A. BY MS. JUSTUS: Yes, I think we can do that.

20 MEMBER HILL: I appreciate it.

21 CHAIRMAN STAFFORD: Member Fontes.

22 MEMBER FONTES: I would like to ask for the air
23 emissions for that same kind of infographic, if you
24 will.

25 I am a developer. I am developing a very

1 similar power plant in Bastrop County, and it's noise,
2 air emissions, visual impact, and economic benefits are
3 the top four things that I see on power plants that
4 we're developing.

5 And I think those kind of infographics have
6 proven successful with the community and updating those
7 on websites and stuff that they can print out.

8 So just a suggestion to piggyback on the
9 recommendation of Member Hill. Thank you.

10 CHAIRMAN STAFFORD: Thank you.

11 Member Little.

12 MEMBER LITTLE: Sorry, Mr. Chairman. I was
13 leaning forward trying to read lips as I'm trying to
14 hear what is going on with our members who are virtual.

15 Maybe turn the volume up a little with them?
16 Thank you.

17 MR. DERSTINE: Yeah, I think we can take that
18 recommendation to heart, Member Fontes. Mr. Harbin had
19 already prepared kind of a summary of the air permit
20 application and the emissions modeling. I don't know if
21 that can be used or you want to prepare another document
22 that we can include on the project website that would be
23 maybe easier to read and informative for the public.

24 A. BY MR. HARBIN: Yeah, I believe we can prepare
25 more like a one-page summary of the requirements that

1 will be in the permit and what we presented in the CEC
2 application.

3 MR. DERSTINE: And the intent of and the
4 language of this proposed Condition 13 addresses one of
5 the questions about how does the public know about and,
6 you know, how can they get involved and provide input
7 into the air permit application process, and what 13
8 does is it will include information on how the public
9 can do that. And then beyond that, we'll include the
10 summary information on the project website.

11 CHAIRMAN STAFFORD: And then No. 12 points out
12 that you'll -- all the water usage data will also be put
13 on the project website.

14 MR. DERSTINE: That's correct.

15 MEMBER LITTLE: Mr. Chairman.

16 CHAIRMAN STAFFORD: Yes, Member Little.

17 MEMBER LITTLE: Can we go back to No. 11 either
18 now or later?

19 CHAIRMAN STAFFORD: Now is fine.

20 MEMBER LITTLE: Okay. I'm not quite sure how
21 to word this, but the sense, as I read this, is that the
22 Applicant will develop an outreach plan and then tell
23 the community what that is, and I would prefer that the
24 Applicant worked with the community to develop an
25 outreach plan. I'm not sure --

1 CHAIRMAN STAFFORD: That's 10, I think.

2 MEMBER LITTLE: -- logistically how that would
3 work.

4 CHAIRMAN STAFFORD: Are you talking about
5 the -- okay. That's --

6 MR. DERSTINE: 10.

7 MEMBER LITTLE: I'm talking about No. 11.

8 CHAIRMAN STAFFORD: Well, that's a typo on that
9 one. If you look at the tablet, that's No. 10.

10 MEMBER LITTLE: Oh, okay.

11 CHAIRMAN STAFFORD: There's a blank line, so --

12 MEMBER LITTLE: No. 10.

13 Q. (BY MS. GILBERT) Ms. Falk, do you want to
14 speak to SRP's intention, which is absolutely to work
15 with the community to develop any plan?

16 Maybe pass the mic to Ms. Falk.

17 A. BY MS. FALK: Yes, absolutely, any plans that
18 we make with the community will be in partnership with
19 them. So we will make sure that these forums that we
20 have with them, we are working together to come up with
21 a plan.

22 MEMBER LITTLE: Yeah, I knew that that was the
23 intent. I'm not sure that's what the language says
24 here. The Applicant shall also develop a community
25 outreach plan and engage the community.

1 MR. DERSTINE: So if we revise that sentence to
2 say, "The Applicant shall develop a community outreach
3 plan through engagement with the community."

4 MEMBER LITTLE: Thank you. That would be
5 wonderful.

6 MR. DERSTINE: I think we're now on 13; is that
7 right?

8 CHAIRMAN STAFFORD: Yes.

9 MR. DERSTINE: Yeah, that 13 was trying to find
10 ways to inform the community and how they can
11 meaningfully participate in the air permit process and
12 understand the process, as well as provide their
13 viewpoint and comment.

14 CHAIRMAN STAFFORD: And then 14, what are those
15 specific sections of the county's development standards?

16 MS. GILBERT: Those are the sections regarding
17 industrial development.

18 Q. (BY MS. GILBERT) And, Ms. Justus, do you want
19 to add anything I'm missing?

20 A. BY MS. JUSTUS: Yes. Those two sections in
21 particular, 2.340.050, those are the development
22 standards for the Industrial 3 zoning designation in
23 Pinal County which describes setback distances. So
24 other power plants of a similar type, those are the same
25 kind of distances and setbacks that they comply with as

1 part of that zoning.

2 And then the other reference, 2.150.050, is the
3 portion of the zoning ordinance that exempts
4 smokestacks, chimneys, essentially, for this purpose,
5 the stacks, from height limitations that are within the
6 prior section.

7 CHAIRMAN STAFFORD: Okay. So, typically, SRP
8 would not be subject to these sections, but they're
9 voluntarily submitting to them from the county.

10 MR. DERSTINE: Making clear that our
11 development of the plant will be in accordance with
12 those guidelines even though we're otherwise exempt.

13 CHAIRMAN STAFFORD: Right. Okay. Thank you.

14 All right. With that, Exhibit SRP-26 is
15 admitted.

16 Are there any additional questions from
17 members?

18 Member Fant.

19 MEMBER FANT: Thank you, Mr. Chair.

20 I just wanted to go back to the incorporation
21 issue, because I think this is something SRP should
22 offer to Stanfield, help them, if there's an interest.

23 Anyway, I just did a really quick calculation
24 on the state urban revenue share that would go to
25 Stanfield if they were an incorporated entity. And I

1 estimated, based on what San Tan Valley got, that a new
2 Stanfield would get about \$3 million a year in state
3 urban revenue share. It's about 18 percent of the state
4 income tax pool gets allocated out to the cities and
5 towns, 91 cities and towns annually.

6 And so maybe Stanfield doesn't know, they've
7 been subsidizing Phoenix for the last 30, 40 years with
8 their tax revenues, but that would bring the money back
9 to the community too.

10 MR. DERSTINE: Member Fant, I am not an expert,
11 and it's certainly something that we will -- SRP will
12 look at and see if they can help facilitate that with
13 the community.

14 I am told that the community of Stanfield is
15 too small to incorporate. That it requires a minimum of
16 1,500 residents. But that may or may not be the case,
17 and we're happy to look into it.

18 MEMBER FANT: I think it needs 500 to be a
19 town, but, yeah, check it.

20 MR. DERSTINE: Okay. We will.

21 MEMBER FANT: Again, that goes to how much
22 territory you bring into the town.

23 MR. DERSTINE: Right.

24 CHAIRMAN STAFFORD: All right. Any additional
25 questions from members?

1 (No response.)

2 CHAIRMAN STAFFORD: Hearing none, Mr. Derstine,
3 I believe we're ready for your closing now.

4 MR. DERSTINE: Well, I'm ready for my closing
5 too. Let me see. I think I've -- there it is.

6 Well, I wanted to start my final comments by
7 thanking the residents of the community of Stanfield.
8 We have had a series of open houses as well as other
9 engagement efforts through Ms. Falk's organization with
10 the community. Their involvement, their presentation
11 during this hearing, the comments that they've made are
12 valuable and we take them to heart. They're important
13 to this process. They're important to SRP.

14 Much of what we do for these cases is to
15 develop ways -- and this is a process that's been
16 developed over the years where Ms. Hallows with her
17 organization, Ms. Falk with her organization, we look
18 for ways to engage, listen to the public, get their
19 comments. And they may not always agree or like what
20 our position is on the project or that we can or cannot
21 address a specific request, but what's critical is that
22 we have that dialogue and that conversation, and that we
23 do it in a way that they understand we're listening.

24 And to the extent that we can implement things
25 like color selection, as well as address other needs of

1 the community, that's something that SRP has a
2 long-standing history of doing, and we'll do it for this
3 case.

4 And I think the community, for the folks who
5 are here present in the room who were here for public
6 comment on Monday and provided public comment today,
7 they understand, listening to the questions from Member
8 Little and other members of the committee, especially
9 Member Mercer who asked us and teed up a series of
10 questions and had us go through the filing and the
11 various conditions, the community understands that this
12 committee listens to them, hears them, and wants to
13 understand what their concerns and their positions are.
14 So it's a critical part of this process and it's
15 something that SRP takes to heart, and we think it's
16 critically important.

17 While I'm thanking folks, I wanted to also
18 thank you, members of the committee. Obviously, as I
19 mentioned, your engagement, your varied backgrounds and
20 your experience that you bring to this body is very
21 important. I think SRP and other applicants who come
22 before you value your careful consideration, digging
23 deep into questions, digging deep into carrying out your
24 responsibilities in trying to evaluate the impacts of a
25 project and seeing what you can do to address them, and,

1 you know, is there a balance that can be reached in
2 establishing that a particular project is
3 environmentally compatible.

4 We think this project is, but you folks and
5 through your questions make sure that we have looked at
6 and have considered all of the things that go into that
7 analysis. And so thank you for your responsibility,
8 your role, and that you take this process very
9 seriously, and it's an incredible value to the state.

10 I also just want to take a minute to thank our
11 court reporter who at times has been forced to type
12 probably faster than she's ever typed before, but she's
13 kept up with our testimony and created a clear record,
14 and I very much appreciate that. Not an easy job. I
15 don't know how she does it, especially when we're out on
16 the road and on our route tour, and all the other things
17 that she does for this process. But having a transcript
18 and a record of this proceeding is also critical.

19 I also just want to thank Ms. Maser and the
20 folks for KP Environmental who helped put together this
21 traveling road show and reserved the room, make sure we
22 have snacks in the afternoon, and all the things. So
23 Gabby and the folks at KP, thank you for making this
24 process at least easier.

25 I know yesterday afternoon I was dead tired.

1 And we took a short break, and I was able to have a
2 brownie. And all the little things that go into this
3 are important. I know they're important for the
4 committee members, they're important to the Applicant,
5 and so I greatly appreciate everything that they do to
6 make this hearing process work and a bit more
7 comfortable.

8 Then, I guess, lastly, I'll just thank my
9 co-counsel, Ms. Gilbert. I'm not the straw that stirs
10 this drink. This is her case. She's done all the heavy
11 lifting and all the work. She makes it easy for me to
12 show up and I just do what she tells me, and she's been
13 a pleasure to work with. And maybe most importantly,
14 she's patient, and that's probably the greatest maybe
15 quality that she can have in dealing with me. So I
16 thank her for that.

17 I mentioned in my opening that this committee
18 has had a number of natural gas plant applications
19 before it, probably more than maybe the committee has
20 considered in some time. You've addressed a number of
21 different applications. You have more coming that are
22 on the docket. Those applications deal with plants of
23 differing technologies. You just had a combined-cycle
24 application. Prior to that, you had one that involved
25 the LM6000 peakers.

1 So different technologies, different locations,
2 different issues, different impacts. And, yet, at the
3 same time, each one of those projects, those CEC
4 applications are evaluated under the same standards,
5 under the same factors that are in 06. So I would like
6 to just briefly walk through those and touch on what the
7 record here, I think, establishes for this case.

8 The first factor in 06 is existing plans of the
9 state, local government, and private entities for other
10 development in the vicinity of the project.

11 Ms. Justus testified that there are no other
12 plans that would be impacted by the thermal plant, nor
13 would be impacted by the transmission line project. The
14 surrounding area and the activities, as we know from the
15 route tour and from the testimony, is this is
16 agricultural lands as well as cattle and dairy
17 operations. Those existing uses can and will continue
18 without being impacted by our project.

19 In terms of other developments within the
20 vicinity of the project, there are no filed plans.

21 And this project is in compliance with the
22 long-term planning document filed by Pinal County.

23 Ms. Justus also testified on the impacts to
24 fish, wildlife, plant life, and other life forms on
25 which they are dependent. We showed that this plant is

1 being developed in a disturbed area, agricultural lands.
2 It's been agricultural for a long time. And now the
3 plant will be developed on approximately a 60-acre
4 parcel, within that 60-acre parcel.

5 And so the impacts, I think, as Ms. Justus has
6 testified to and shown in the various studies that are
7 part of the application as an exhibit, established that
8 there are no significant detrimental impacts to fish,
9 wildlife, plant life, from the project.

10 We've talked considerably about noise
11 emissions. You saw the noise emissions study. Our
12 noise study looked at what would be -- what can or will
13 be heard at the closest residence to the plant and
14 established that those -- the noise levels will be
15 within and below any sort of Pinal County guidelines and
16 noise emission guidelines or limits that would otherwise
17 apply to the plant if they did apply.

18 Recreation. Again, Ms. Justus testified
19 there's no impact to recreation. The one recreational
20 area was the school that she identified. But in terms
21 of other recreational activities, again, this area and
22 this land is focused on agriculture and dairy
23 operations, cattle. And there's not a lot of
24 recreational activities in the surrounding area that
25 would otherwise be impacted by our project.

1 In terms of the visual impacts, you saw the key
2 of the simulations that were prepared by Ms. Justus that
3 showed what the closest residents would see and what the
4 plant would look like once it's completed. Those
5 renderings show that, obviously, the plant will be a
6 change on the horizon, but in terms of, you know, any
7 sort of adverse or -- well, obviously, the plant will be
8 a significant new thing on the horizon.

9 But in terms of impacts to residents and
10 activities, they may not like having to see a plant. It
11 will be off in the distance. The closest residence, as
12 Ms. Justus testified, was Santa Rosa Ranchos is about a
13 mile away, and then the larger community of Main Street
14 area of Stanfield is approximately three miles.

15 Total environment of the area, we covered that.
16 We know what the surrounding area is and that the folks
17 who live here cherish the agricultural environment, and
18 that will be maintained except for the parcels of land
19 that are used by the plant.

20 And I would just on the -- I guess, you know,
21 folks have raised concern about losing agricultural land
22 but also raised concerns about water. And the testimony
23 and the evidence is that in terms of the water use, this
24 plant will use a small fraction of the amount of water
25 that has been used and is dedicated to agricultural

1 operations.

2 So this plant will not have a significant
3 impact on groundwater. This plant uses, again, a very
4 small fraction of what has been the historical use of
5 groundwater over those lands. And so I think that the
6 concerns about -- understandable concerns about
7 groundwater, the fact is that the record in the
8 modeling, based on ADWR modeling and evidence, is that
9 this plant will have a very small impact on the
10 groundwater table.

11 I guess within the area of the total
12 environment, Mr. Harbin's testimony on the air
13 emissions, all within National Ambient Air Quality
14 standards. We've provided you a lot of detailed
15 information on the surrounding -- the current air
16 quality status. I think the community is well aware of
17 the issues with PM10 and PM2.5.

18 But that in terms of the contribution of this
19 plant, that will be well within the thresholds that are
20 established by federal law, and the National Ambient Air
21 Quality Standards are there to ensure and preserve human
22 health, animal health, and we're well within those
23 guidelines and those thresholds.

24 The practicality of achieving the proposed
25 objective, I've always wondered what that factor really

1 meant other than if we were trying to build something
2 new or different that hadn't been done. Maybe that's
3 something that the committee would want to consider and
4 dig into. This is not that kind of a plant. I think as
5 Mr. McClellan testified to, SRP has experience with this
6 generation technology. That's one of the reasons it was
7 selected for this project.

8 We know how to build these plants, we know how
9 to build them properly, and we know how to operate them
10 properly. And there's a large or a significant
11 regulatory framework around the construction and the
12 operation of the plant and that remains in place.

13 We provided you data on the estimated cost of
14 the facilities, of the jurisdictional facilities, that
15 is the plant and the transmission line. That evidence
16 is in the record.

17 Additional factors that require consideration,
18 I think we went through a lot of those additional
19 considerations. Member Mercer, Member Little, Member
20 Hill, all of the members of the committee asked good
21 questions. Whether they were within the jurisdiction of
22 the committee or not, we did our best to answer those
23 questions and to address them.

24 And so I think that at the end of the day, the
25 record that's before this committee on this case, the

1 facts here are likely different than what you've
2 considered in other cases, but I think what is
3 established by the record here is that this is a good
4 project, an important project for SRP and its customers.
5 It's an important project for the state in terms of
6 serving the growing energy needs. And we're requesting
7 that you grant us a CEC for the plant and for the
8 transmission line project.

9 And, again, I thank you for all of your time,
10 your thoughtful questions, and your consideration.

11 CHAIRMAN STAFFORD: Thank you.

12 All right. Well, it's 11:43. We'll take a
13 recess until 1:30, at which time we'll come back and
14 we'll begin deliberations on the certificates.

15 Anything further from members before we break?

16 All right. We stand in recess.

17 (A recess was taken from 11:46 a.m. to
18 2:21 p.m.)

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

20 In front of you, members, you should have
21 Chairman's 1, which is the PDF of the draft CEC 267 for
22 the transmission line. Members online should have
23 received a copy of the PDF from Tod. I'm seeing thumbs
24 up that they have it. The Applicant has it.

25 If the members could please review -- oh, and

1 the Applicant, too, review the introduction.

2 MEMBER LITTLE: Mr. Chairman, I move adoption
3 of the introduction.

4 MEMBER MERCER: I second.

5 CHAIRMAN STAFFORD: Further discussion?

6 Of course, we'll have to fix the dates if we
7 finish today, since today is the 24th, and fill in the
8 vote count afterwards.

9 The other thing that we can change is the -- we
10 can -- the Commission likes to see the number of people
11 who made public comment filled in. It saves them from
12 reading the transcript. They can just look at the
13 certificate.

14 And by my count, we had two people speak for
15 it, eight people against it, seven people more focused
16 on conditions, and then one person who just didn't make
17 any comment, so we wouldn't count them.

18 The second time, three of the people that spoke
19 had already spoken. There was only one new person
20 speaking against it at that time.

21 MEMBER LITTLE: Why are you looking like that
22 at me, Mr. Chairman?

23 CHAIRMAN STAFFORD: I'm just -- is that -- do
24 we need to make a motion to add that to the
25 introduction, or is that something that we can take care

1 of with the motion at the end to fix -- correct and make
2 corrections to the certificate?

3 MEMBER HILL: I think that's just fine to do
4 corrections to the certificate that way.

5 CHAIRMAN STAFFORD: Beg your pardon?

6 MEMBER HILL: I think it's probably fine to
7 just do it as a correction to the certificate. I didn't
8 know that this was something that the Commissioners were
9 looking for, but I think that's fine.

10 CHAIRMAN STAFFORD: Okay. And I will go back
11 and look at the transcript and make sure my tally of
12 speakers and the scope of their comments is correct.

13 MEMBER HILL: Good idea.

14 CHAIRMAN STAFFORD: Okay.

15 MEMBER LITTLE: Sounds good to me.

16 CHAIRMAN STAFFORD: All right. The introduction
17 has been moved and seconded.

18 All in favor say aye.

19 (A chorus of ayes.)

20 CHAIRMAN STAFFORD: Opposed?

21 Hearing none, the introduction is adopted.

22 On to the project description.

23 Actually, you know what? I think the public
24 comment will be reflected in the next one, because I
25 don't recall anybody mentioning the line in public

1 comment. I think that's more applicable to the plant.

2 MS. GILBERT: Agreed.

3 CHAIRMAN STAFFORD: Okay. All right.

4 Further discussion?

5 MEMBER LITTLE: Mr. Chairman, for discussion
6 purposes, I move approval of the project description.

7 MEMBER DiCICCIO: Second.

8 CHAIRMAN STAFFORD: Further discussion?

9 I added the nonjurisdictional solar and BESS to
10 the description. I would like to see what the point of
11 the line is later on, looking at the certificate, so --

12 And then I'm assuming that the -- that that's
13 an accurate description? Looking to the Applicant.

14 MS. GILBERT: I'll look to Ms. Laurence or
15 Mr. McClellan to confirm. I think that is accurate.

16 A. BY MS. LAURENCE: Yes, I believe so.

17 CHAIRMAN STAFFORD: Okay.

18 MEMBER LITTLE: Mr. Chairman.

19 CHAIRMAN STAFFORD: Yes, Member Little.

20 MEMBER LITTLE: Is the corridor for the section
21 where there's two transmission lines -- there was some
22 discussion about 500 feet on either side of the road.

23 CHAIRMAN STAFFORD: That's the 1,000-foot-wide
24 corridor.

25 MEMBER LITTLE: No, it's not. There's a road

1 in the middle.

2 CHAIRMAN STAFFORD: But how wide is the road?
3 I think it's 500 feet on either side of the centerline
4 of the road, so it's a 1,000-foot corridor.

5 MEMBER LITTLE: That's a question for the
6 Applicant.

7 A. BY MS. JUSTUS: I think we ended up saying a
8 1,000-foot corridor is sufficient. And even if you
9 include the 60-some feet for the road, it's still
10 sufficient.

11 MEMBER LITTLE: Okay. Good.

12 CHAIRMAN STAFFORD: The lines are described as
13 both from leaving the Marigold Substation and then going
14 to either the BESS substation or the solar facility
15 substation. And so each right-of-way would be 140 feet.
16 And if they're parallel, it's 280 feet.

17 MS. GILBERT: That's correct.

18 CHAIRMAN STAFFORD: Okay. Are we still
19 reviewing it, members, or -- because you moved it for
20 adoption for purposes of discussion.

21 MEMBER LITTLE: Oh, is that not correct
22 language?

23 CHAIRMAN STAFFORD: I think -- well, I think
24 you said you moved for adoption but you wanted to make
25 sure we didn't skip further discussion?

1 MEMBER LITTLE: Yes, that's correct.

2 CHAIRMAN STAFFORD: I think it's been moved and
3 seconded for adoption.

4 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 project description is
10 adopted.

11 On to conditions.

12 MR. DERSTINE: For Condition No. 1 --

13 CHAIRMAN STAFFORD: Let's get it moved.

14 MR. DERSTINE: My apologies.

15 MEMBER LITTLE: Mr. Chairman, I move
16 Condition 1.

17 MEMBER HILL: Second.

18 CHAIRMAN STAFFORD: Further discussion?

19 Mr. Derstine.

20 MR. DERSTINE: This is the term issue that we
21 had discussed and Applicant was requesting a 20-year
22 term for the second circuit. I've got some proposed
23 language that Ms. Maser can type in.

24 CHAIRMAN STAFFORD: Okay. So we can just refer
25 to -- so transmission line --

1 MR. DERSTINE: Yeah. You can see what she's
2 doing there.

3 CHAIRMAN STAFFORD: Would be "The authorization
4 to construct the first circuit for both Transmission
5 Line 1 and 2 will expire 10 years," and then
6 "authorization to construct the second circuit for both
7 lines would expire after 20 years."

8 MEMBER LITTLE: Do we need a motion to amend
9 it?

10 CHAIRMAN STAFFORD: Yes, we do.

11 MEMBER LITTLE: I move that we amend Condition
12 No. 1 shown on the screen.

13 Does that work, or do we need to spell it out?

14 CHAIRMAN STAFFORD: You can say that, and then
15 I'll state it before we vote so it's in the transcript.

16 MEMBER HILL: Second.

17 CHAIRMAN STAFFORD: Further discussion?

18 The motion before the committee is to amend
19 Condition 1 of the certificate to read, "This
20 authorization to construct the first circuit of
21 Transmission Line 1 and Transmission Line 2 of the
22 project shall expire 10 years from the date the
23 certificate is approved by the Commission, with or
24 without modification; and the authorization to construct
25 the second circuit of Transmission Line 1 and

1 Transmission Line 2 of the project shall expire 20 years
2 from the date the certificate is approved by the
3 Commission."

4 It has been moved and seconded.

5 Further discussion?

6 (No response.)

7 CHAIRMAN STAFFORD: All those in favor say aye.

8 (A chorus of ayes.)

9 CHAIRMAN STAFFORD: Opposed?

10 Hearing none, the amendment is adopted.

11 MEMBER LITTLE: Mr. Chairman, I move

12 Condition 1 as amended.

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 1 as amended is

20 adopted.

21 Number 2.

22 MEMBER HILL: Mr. Chair, I move Condition 2.

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, Condition 2 is adopted.

5 Number 3.

6 MEMBER MERCER: Mr. Chairman, I move

7 Condition 3.

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 3 is adopted.

15 Number 4.

16 MEMBER LITTLE: Mr. Chairman, I move adoption

17 of Condition No. 4.

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 4 is adopted.

25 Number 5. This is the new one proposed by the

1 Applicant.

2 MEMBER HILL: Mr. Chair, I move approval of
3 Condition 5.

4 MEMBER LITTLE: Second.

5 CHAIRMAN STAFFORD: Further discussion?

6 I think we initially had, in your last exhibit,
7 different language, but I think in response to I think
8 Member Fontes' suggestion, the Applicant amended it
9 further to reflect that it would be a traffic study
10 first and then a management plan afterwards, if I
11 transcribed it properly here.

12 MR. DERSTINE: Does that work for you,
13 Mr. McClellan?

14 A. BY MR. McCLELLAN: Yes.

15 CHAIRMAN STAFFORD: All right. Condition 5 has
16 been moved and seconded.

17 Further discussion?

18 (No response.)

19 CHAIRMAN STAFFORD: All in favor say aye.

20 (A chorus of ayes.)

21 CHAIRMAN STAFFORD: Opposed?

22 Hearing none, Condition 5 is adopted.

23 Number 6.

24 MEMBER LITTLE: Mr. Chairman, I move adoption
25 of Condition No. 6.

1 MEMBER MERCER: Second.

2 CHAIRMAN STAFFORD: Further discussion?

3 (No response.)

4 CHAIRMAN STAFFORD: All in favor say aye.

5 (A chorus of ayes.)

6 CHAIRMAN STAFFORD: Opposed?

7 Hearing none, Condition 6 is adopted.

8 Number 7.

9 MEMBER HILL: Mr. Chair, I move approval of
10 Condition 7.

11 MEMBER MERCER: Second.

12 CHAIRMAN STAFFORD: Further discussion?

13 (No response.)

14 CHAIRMAN STAFFORD: All in favor say aye.

15 (A chorus of ayes.)

16 CHAIRMAN STAFFORD: Opposed?

17 Hearing none, Condition 7 is adopted.

18 Number 8.

19 MEMBER MERCER: Mr. Chairman, I move
20 Condition 8.

21 MEMBER HILL: Second.

22 CHAIRMAN STAFFORD: Further discussion?

23 MEMBER HILL: Hold on. Let me finish.

24 CHAIRMAN STAFFORD: The language here is a
25 little bit different. The Applicant's suggestion was

1 that the Class III cultural survey for a portion of the
2 project area is currently underway and any unsurveyed
3 areas of the final -- and I think I added "final
4 right-of-ways." I changed it. Because you had spelled
5 it out, and I did "ROW" and did it throughout the
6 document.

7 And then will be completed -- "will be surveyed
8 following the issuance of a CEC," and I added "and prior
9 to construction" to it.

10 And it would be you're going to survey to
11 modern standards the final right-of-ways for all the
12 transmission lines, not the entire corridor, though.

13 MR. DERSTINE: Yes, that's acceptable.

14 CHAIRMAN STAFFORD: Okay.

15 MEMBER LITTLE: Do we need to put that language
16 in? The modern standards words?

17 We're changing the standard condition that was
18 proposed or approved by SHPO; right?

19 CHAIRMAN STAFFORD: Right.

20 I guess I would ask the Applicant why they
21 changed the language from the prior condition.

22 MS. GILBERT: Chairman Stafford, we changed
23 that just to account for the fact that the Class III is
24 actively happening now for parts of the project.

25 CHAIRMAN STAFFORD: Okay.

1 MR. DERSTINE: If it was important to still
2 carry forward the modern standards, we can tack that
3 onto it again, "any unsurveyed areas of the final
4 right-of-ways will be surveyed."

5 CHAIRMAN STAFFORD: Or just change it from "any
6 unsurveyed areas," to "any areas of the final
7 right-of-ways that have not been previously surveyed to
8 modern standards will be surveyed prior to
9 construction."

10 MEMBER LITTLE: I guess I don't understand the
11 importance of putting it in there that it's currently
12 underway.

13 MS. GILBERT: Member Little, it was just to
14 account for the fact that we had already started.

15 And I will say that this language here in
16 purple that have not been surveyed according to modern
17 or current standards, we didn't see that language in
18 Case 262 CEC. The piece we deleted and changed is just
19 what is on Lines 11 and 12 on the screen.

20 MEMBER LITTLE: Because, generally speaking,
21 these conditions on the cultural aspects have been
22 pretty standard, I thought, and were language that was
23 worked out in conjunction with SHPO. And that's my
24 reason for hesitating to change it at all is just
25 because it's language that we worked out together with

1 them.

2 CHAIRMAN STAFFORD: I guess, yeah, because the
3 existing language -- I mean, it doesn't -- it just
4 doesn't show that they've already started, I guess.

5 But the thing is, is that I guess it doesn't
6 need to say that in the CEC. Because when they file
7 their first compliance filing, they'll say, okay, we've
8 already done -- here is what we've done so far to comply
9 with Condition 8.

10 MS. GILBERT: And some of that work will
11 predate the CEC issuance, but it's probably not
12 material. And if your comfort level is to reject all
13 redlines so the language at 11 and 12 would be restored,
14 that would be a copy-paste of the language from
15 Case 262.

16 CHAIRMAN STAFFORD: And just change it to
17 "final right-of-way" as opposed to "corridor."

18 Do you want to make a motion to -- so looking
19 at Chairman's 1, if that's what you wanted to
20 accomplish, you would look at the insert language on
21 Page 6, Lines 9 through 11, to remove that and then
22 reinsert the stricken language from Lines 8 and 9, and
23 then change "corridor" to "the final right-of-ways that
24 have not been previously surveyed to modern standards."

25 MEMBER LITTLE: I personally don't really care.

1 I just want to keep SHPO happy.

2 MR. DERSTINE: We second that.

3 CHAIRMAN STAFFORD: You're not going to make a
4 motion to amend it? You don't care?

5 MEMBER LITTLE: Let's just -- yes, I do. I
6 make a motion that -- I so move.

7 CHAIRMAN STAFFORD: Okay. Second?

8 MEMBER HILL: Second.

9 CHAIRMAN STAFFORD: Is there a second?

10 MEMBER HILL: Second, I said.

11 CHAIRMAN STAFFORD: Okay. Further discussion?

12 Is that what we're showing on the -- I'm not
13 seeing the changes on the screen.

14 MEMBER LITTLE: Yes.

15 CHAIRMAN STAFFORD: All right. It has been
16 moved and seconded.

17 Further discussion?

18 (No response.)

19 CHAIRMAN STAFFORD: All in favor say aye.

20 (A chorus of ayes.)

21 CHAIRMAN STAFFORD: Opposed?

22 Hearing none, the amendment is adopted.

23 MEMBER HILL: Mr. Chair, I move approval of
24 Condition 8 as amended.

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 8 is 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 MERCER: Mr. Chairman, I move approval

19 of 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 HILL: Mr. Chair, I move approval of
4 Condition 11.

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, Condition 11 is adopted.

12 Number 12.

13 MEMBER LITTLE: Mr. Chairman, I move adoption
14 of 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 MERCER: Mr. Chairman, I move approval
24 of Condition 13.

25 MEMBER HILL: 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 LITTLE: Mr. Chairman, I move adoption
9 of Condition 14.

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 14 is adopted.

17 Number 15.

18 MEMBER LITTLE: Mr. Chairman, I move adoption
19 of Condition 15.

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, Condition 15 is adopted.

2 Number 16.

3 MEMBER HILL: Mr. Chair, I move approval of
4 Condition 16.

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, Condition 16 is adopted.

12 Number 17.

13 MEMBER LITTLE: Mr. Chairman, I move adoption
14 of Condition 17.

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 17 is adopted.

22 Number 18.

23 MEMBER MERCER: Mr. Chairman, I move
24 Condition 18.

25 MEMBER HILL: Second.

1 CHAIRMAN STAFFORD: Further discussion?

2 MEMBER HILL: Yes.

3 CHAIRMAN STAFFORD: Yes. It says "system
4 impact study results."

5 I think the Commission Staff would want to see
6 the interconnection agreement with NextEra when the
7 solar and BESS are connected to those lines.

8 MS. GILBERT: Chairman Stafford, I might look
9 to Ms. Laurence in just a moment, but I know we've
10 reached out to NextEra to confirm that we can share
11 their results with Staff. I'm not sure we've received
12 the same okay to share their agreement.

13 CHAIRMAN STAFFORD: Well, not the purchased
14 power agreement.

15 MS. GILBERT: But the interconnection
16 agreement.

17 CHAIRMAN STAFFORD: But the interconnection
18 agreement.

19 MS. GILBERT: Right. And I imagine they would
20 be okay with it, but I am not sure that we have
21 confirmed that we can do that.

22 A. BY MS. LAURENCE: That's correct. We confirmed
23 the system impact study. We did not ask about the
24 interconnection agreement.

25 CHAIRMAN STAFFORD: Because I think in most of

1 these we've been skipping the system impact studies and
2 going straight to the interconnection agreement because
3 that shows what upgrades are necessary and what the --
4 this is kind of flipped because it's going to be --
5 they're going to be paying for the upgrades, not SRP.

6 And so -- yeah, and it says here, "Applicant
7 shall be responsible for any future network upgrades
8 directly related to the project as determined by SRP,"
9 but we're kind of doing this the other way around.

10 And I'm not sure how we want to massage this
11 language to reflect the reality of this case, which is
12 different from most of the gen-tie lines we've seen.

13 MS. GILBERT: Right. And so I will say our
14 system impact study, the results that Staff is looking
15 for, will be in there. And their letter requested that
16 they get the system impact study, so this is consistent
17 with what Staff has indicated in their letter.

18 And you're right. It is a little bit flipped
19 because you've got in this scenario the transmission
20 provider and not the interconnection customer in front
21 of you.

22 And so with that, the last sentence, SRP as
23 transmission provider certainly will not allow a project
24 to interconnect that hasn't satisfied its requirements
25 to upgrade the system as necessary. So I think SRP can

1 still commit to that in this condition to satisfy that
2 last sentence.

3 As far as in our role as managing our
4 transmission system, we would make sure. It's just the
5 proof of that isn't going to be a payment to SRP. It
6 would be evidence of our study results and mitigations
7 being satisfied.

8 CHAIRMAN STAFFORD: Member Little.

9 MEMBER LITTLE: Mr. Chairman, I have problems
10 with that. I understand the dilemma. I do.

11 However, all you have to do is give them the
12 results of the system impact study regardless of what
13 the impact study says.

14 MS. GILBERT: And we've agreed to give that to
15 Staff.

16 MEMBER LITTLE: And that's what I'm saying is
17 that that's all we're obligating you to by this
18 condition. We're not obligating anything further upon
19 which to base the finding that there will be no impacts
20 to the grid.

21 MS. GILBERT: I agree with what you're saying,
22 and I think the language that we've typed in there
23 reflects that as far as a copy of the system impact
24 study results.

25 MEMBER LITTLE: I have a problem in that I

1 think this may set a precedent for future applicants who
2 come before us and say, "Why do you say we have to --
3 we're obligated to be responsible for any future network
4 upgrades?"

5 I'm not quite sure how to handle this dilemma;
6 however, it's certainly not sufficient for me, but I'm
7 just one person, too.

8 CHAIRMAN STAFFORD: Yeah. Why would -- what
9 possible reason would NextEra object to providing the
10 large generator interconnection agreement to Staff?

11 MS. GILBERT: I can't think of a reason, if
12 they're willing to share the system impact study
13 results, that they wouldn't -- that they would oppose.
14 It's just that it's their agreement and --

15 CHAIRMAN STAFFORD: Well, we've required
16 NextEra to provide their interconnection agreements with
17 other utilities to Commission Staff.

18 MEMBER HILL: It is under a confidentiality
19 agreement. It's not publicly available.

20 CHAIRMAN STAFFORD: Right. But we require them
21 to do that.

22 MEMBER HILL: Yes. I'm agreeing with you.

23 CHAIRMAN STAFFORD: I think in one of the last
24 ones we took out the word "existing" and we just put
25 "under a protective agreement."

1 MEMBER HILL: That's correct.

2 CHAIRMAN STAFFORD: Because they had to --
3 because they didn't think the existing one would cover
4 it.

5 But they're going to provide -- they're going
6 to have to execute a new one to get access to the
7 interconnection agreement.

8 MS. GILBERT: Chairman Stafford, I think there
9 might -- this condition is running to SRP, because
10 NextEra isn't the applicant here.

11 So to draft this condition in a way that's
12 binding to SRP, I think it would be that SRP is
13 providing the information to Staff, and the existing
14 protective agreement would be adequate for that because
15 we have it with Staff.

16 Mr. McClellan, were you thinking of saying
17 something?

18 A. BY MR. MCCLELLAN: Yeah, I don't know that we
19 know that NextEra won't provide it. We just don't know
20 one way or the other yet, and we can't make a commitment
21 for them, I think, is the issue here.

22 MEMBER LITTLE: I suspect they would agree to
23 it. They have agreed to it in other CECs that have gone
24 to them.

25 MEMBER HILL: Ms. Gilbert, can you require this

1 of them as part of your lease agreement?

2 MS. GILBERT: We could -- probably not the
3 lease agreement, but the PPA or the ESA agreements. I'm
4 not sure where those are at in drafting. But I think
5 for purposes of today and making sure we have the
6 language you all need, it probably would be a finding
7 language that binds SRP to providing the results to
8 Staff.

9 CHAIRMAN STAFFORD: Because the other way
10 around, if it was NextEra coming in wanting to build
11 these lines to connect to your substation, they would
12 have to provide the interconnection agreement to Staff.

13 MEMBER LITTLE: Correct. And we would also
14 have put in here that they would be responsible for any
15 future network upgrades.

16 I am concerned. I don't think that we can --
17 we can put conditions on the Applicant in this condition
18 or in this CEC. But can we put conditions on the
19 Applicant's person they're buying power from?

20 CHAIRMAN STAFFORD: Well, we do it all the
21 time. Because if the situation were reversed and
22 NextEra was coming in here to build this power line to
23 connect to SRP's system, we would require them to
24 provide the Commission Staff with a copy of the
25 interconnection agreement with SRP, and then we would

1 just state that the Applicant would be responsible for
2 future upgrades as determined by SRP.

3 MEMBER LITTLE: Right. But in that case we
4 would be putting conditions on the applicant who would
5 be NextEra at that point.

6 CHAIRMAN STAFFORD: Right.

7 MEMBER LITTLE: Here, the Applicant is not
8 NextEra. It's a third party.

9 MEMBER HILL: Mr. Chair.

10 CHAIRMAN STAFFORD: Right. The transmission
11 provider. So it's -- I don't see why you wouldn't
12 require the interconnection agreement for one but not
13 the other.

14 MEMBER LITTLE: Oh, I agree. No, I think we
15 need the interconnection agreement.

16 CHAIRMAN STAFFORD: But we would have to remove
17 the last sentence because SRP is not going to be
18 responsible for future network upgrades. They would be
19 responsible for determining what they are and then
20 NextEra, who's going to be running the solar and BESS
21 components, would be responsible for those costs.

22 MS. GILBERT: And while NextEra would be
23 responsible for the costs, SRP is the transmission
24 provider. So, really, the buck stops with us. And so
25 while NextEra might be paying for it, I think it is fair

1 for this committee to hold SRP responsible that the
2 interconnection -- the projects, when they're
3 interconnected, have satisfied the obligations in that
4 agreement, which is to fund and support those upgrades
5 because it's part of our responsibility overall in
6 maintaining the system.

7 So while you don't have the NextEra developer
8 before you, you do have the transmission provider and
9 owner.

10 MEMBER LITTLE: So you're saying that if there
11 are upgrades or mitigation measures that are necessary,
12 it's okay to obligate SRP.

13 MS. GILBERT: And the consequence here is if
14 the interconnection customer under our tariff doesn't
15 satisfy what they're required to, we wouldn't allow them
16 to proceed with the interconnection, you know, because
17 we have to make sure it's a safe and reliable system
18 overall, which you know.

19 MEMBER LITTLE: That's implied, and we try to
20 keep from going there. We want -- I mean, that was the
21 purpose of putting this condition in to start with.

22 You know, we heard the argument, well, why
23 should we have to provide the system impact study or the
24 interconnection agreement because they won't let us
25 interconnect if it's not going to be safe.

1 And we determined that we needed to have that
2 language in the CEC obligating them to do that even
3 though, yes, the utility is not going to allow anybody
4 to interconnect to their system that's going to cause a
5 problem.

6 CHAIRMAN STAFFORD: And that has to do with
7 being able to confidently state the first two Findings
8 of Fact and Conclusions of Law, which I think kind of
9 are needed for the certificate.

10 Member Hill, you've had your hand up for a
11 second.

12 MEMBER HILL: Thanks, Mr. Chair.

13 I was trying to get at what we could obligate
14 SRP to do. And I was thinking through, you know, some
15 language whereby SRP is identified as the transmission
16 operator and "prior to interconnection, SRP will require
17 the operator of the BESS and the solar facility to
18 provide that -- to provide the interconnection agreement
19 to the Commission," or something.

20 I was trying to move to what we could obligate
21 SRP to rather than trying to keep NextEra in the mix. I
22 don't know if there's language that could satisfy us
23 around that.

24 MR. DERSTINE: I think Ms. Gilbert has
25 indicated that SRP is okay with the last section about

1 that the -- that was my, I guess, hesitation was just
2 over the language where we were -- essentially, the
3 Applicant was being obligated to perform network
4 upgrades or be responsible for them.

5 But Ms. Gilbert has indicated she's not
6 concerned with that language given that SRP is the
7 transmission provider and, ultimately, will have to
8 ensure that any sort of network upgrades be completed
9 before the interconnection can proceed. So that last
10 section Ms. Gilbert has indicated she's okay with.

11 I think the hang-up, we understood from Staff
12 that they wanted to see the system impact study. We
13 didn't read in their letter that they wanted to see the
14 interconnection agreement. We've covered the fact that
15 the interconnection agreement -- that's the NextEra
16 interconnection agreement. We don't necessarily have
17 their approval to provide it, but I think we're
18 comfortable that NextEra will agree to allow us to share
19 it pursuant to this condition to construct the
20 transmission line that will serve their project.

21 MEMBER LITTLE: So what you're saying is that
22 we could say that "The Applicant will provide the system
23 impact study results, including any network upgrades
24 necessary or mitigation measures directly related to the
25 project."

1 MR. DERSTINE: Yes.

2 MEMBER LITTLE: And then we can say that the
3 Applicant will be responsible for those.

4 CHAIRMAN STAFFORD: I would like to rephrase
5 that. Because, typically, what that sentence means when
6 it's a developer in here, it means that they're going to
7 be financially responsible for the network upgrades that
8 the transmission provider determines are necessary.

9 I think it would be better to say that "The
10 Applicant shall determine what network upgrades or
11 mitigation measures are necessary to connect the solar
12 and BESS and ensure that those measures are taken prior
13 to interconnection," or something.

14 MEMBER LITTLE: Mr. Chairman, could we put off
15 discussion on this condition until Member Fontes rejoins
16 us?

17 CHAIRMAN STAFFORD: Certainly.

18 MEMBER LITTLE: He's the person that has more
19 experience in interconnection agreements.

20 CHAIRMAN STAFFORD: Okay. So we have a motion
21 before us on No. 18. If we can withdraw that and then
22 move on to 19.

23 Whose motion was it?

24 MEMBER MERCER: Mine.

25 CHAIRMAN STAFFORD: Do you want to withdraw

1 Condition 18 from consideration?

2 MEMBER MERCER: I do.

3 CHAIRMAN STAFFORD: Second?

4 MEMBER FANT: Second.

5 CHAIRMAN STAFFORD: All right. All in favor
6 say aye.

7 (A chorus of ayes.)

8 CHAIRMAN STAFFORD: Opposed?

9 (No response.)

10 CHAIRMAN STAFFORD: Hearing none, that was
11 withdrawn.

12 On to 19.

13 MEMBER HILL: Mr. Chair, move approval of
14 Condition 19.

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, Condition 19 is adopted.

22 No. 20.

23 MEMBER MEEKER: Mr. Chair, Member Fontes has
24 returned if you want to circle back.

25 CHAIRMAN STAFFORD: Or we can do -- well, we

1 haven't moved 20 yet, so yeah.

2 Can you hear us, Member Fontes?

3 MEMBER FONTES: Mr. Chairman, I'm present
4 again. Sorry. I had a work obligation.

5 CHAIRMAN STAFFORD: All right. Can we get a
6 motion to adopt Condition 18?

7 MEMBER MERCER: So move.

8 MEMBER HILL: Second.

9 CHAIRMAN STAFFORD: Further discussion?

10 MEMBER HILL: Please.

11 CHAIRMAN STAFFORD: Take two.

12 MEMBER LITTLE: Perhaps we need to bring Member
13 Fontes up to speed here.

14 CHAIRMAN STAFFORD: You can see the proposed
15 Condition 18 from Chairman's 1, can you?

16 MEMBER FONTES: I can.

17 CHAIRMAN STAFFORD: All right. The
18 discussion --

19 MEMBER FONTES: Yeah. No comments. I'm good
20 to go.

21 CHAIRMAN STAFFORD: Okay. The discussion was
22 that typically we require them to provide the
23 interconnection agreement to Staff. This one, we're
24 just having them do the system impact study.

25 And there was a discussion of having -- because

1 NextEra will be the one who's interconnecting to SRP's
2 system. Usually it's the other way around where the
3 developer is coming in and building the line or paying
4 for the line to interconnect to the utility system, but
5 this is flipped around.

6 MEMBER LITTLE: The issue is that the Applicant
7 does not -- did not realize that they needed to get
8 permission from NextEra to obligate them to provide the
9 interconnection agreement. And they did talk to them
10 about system impact study results and NextEra was okay
11 with that, but they haven't talked to them about the
12 interconnection agreement.

13 MEMBER FONTES: Member Little, thank you. I
14 think my view is the systems impact study is essential
15 for our proceeding because that allows us to make --
16 support and decide on the systems reliability more than
17 anything within that process. So I'm okay with this.

18 MEMBER LITTLE: Except that we also need -- you
19 know, if they provide the system impact study and it
20 says there's all kind of problems, if there's no teeth
21 to this, all they have to do is provide it.

22 MEMBER FONTES: If there's issues with the
23 systems impact study, they're not going to get the
24 interconnect, and they won't be able to build because
25 they won't get a facilities agreement.

1 MEMBER LITTLE: Okay.

2 MEMBER FONTES: Am I missing something, Member
3 Little?

4 MEMBER LITTLE: I just would like to have there
5 be a little more teeth to it than just the -- you know,
6 we put this condition in originally. It was argued by
7 an applicant. I don't even remember when it was, but it
8 was argued by an applicant that we don't need this
9 condition because nobody is going to let us interconnect
10 if it's not going to be okay. And, you know, that's
11 kind of implied, so --

12 MEMBER FONTES: My perspective on that was that
13 applicant was an independent power producer looking to
14 enter into a future unknown power purchasing agreement.

15 The difference here is we have a utility who's
16 known in the state of Arizona who is involved. So it's
17 a different perspective for optics.

18 Is that useful?

19 MEMBER LITTLE: Yes, and I agree. I'm just
20 hoping that it doesn't set a precedent that we have to
21 argue about with a developer.

22 MEMBER FONTES: Can the Applicant,
23 Mr. Derstine, offer some guidance on how to, for lack of
24 a better word, thread the needle on that, Mr. Derstine,
25 so that we don't set an unforeseen precedent here but

1 cover Member Little's concern?

2 MR. DERSTINE: Well, and that concern is in
3 terms of the -- it's the last sentence, I think, that's
4 hanging us up here in terms of the responsibility.

5 Is that right, Member Little?

6 MEMBER LITTLE: I just don't want a future
7 applicant to come in and say, well, why do we have to
8 provide the interconnection agreement?

9 MR. DERSTINE: Okay. So it's more the
10 providing the interconnection agreement.

11 MEMBER LITTLE: Yeah.

12 MEMBER FONTES: In my observations, it's more
13 the independent power producer, the NextEras of the
14 world, if you will, that would look at this as a
15 precedent to do so.

16 MEMBER LITTLE: That's what I'm saying. And I
17 guess we could deal with that -- cross that bridge when
18 we come to it, if necessary. If we think this one is
19 okay for this CEC, then we go with it.

20 MR. DERSTINE: I think you tell that future
21 developer this condition was crafted based on the unique
22 facts of this case and it's not a model for other cases
23 and that in other circumstances you're going to want to
24 see the interconnection agreement and have that provided
25 to Staff.

1 MEMBER LITTLE: Thank you. I think that's what
2 we were looking for. Okay.

3 Thank you, Member Fontes. I really appreciate
4 your input.

5 MEMBER FONTES: Anything further, Mr. Chairman?

6 CHAIRMAN STAFFORD: Yeah, I think I wanted to
7 talk about the last sentence about -- because the
8 language, how it -- what it means when it's a developer
9 coming in here means that they are going to be
10 financially responsible for the network upgrades or
11 mitigation measures related to the project that they're
12 developing.

13 I think in this situation -- well, SRP is going
14 to build them, but they're going to require NextEra to
15 pay for it. And so I'm just -- words mean things, and
16 if this sentence has meant one thing specifically for
17 all other certificates, I think if we're going to -- if
18 it's going to mean something else for this one, that we
19 should use different words.

20 And I'm just -- not that NextEra would do this,
21 but they could say, "Oh, you guys, you have to pay for
22 those upgrades, not us now, because in our certificates
23 that we got, this meant we had to pay for it. Now it
24 means you have to pay for it."

25 And I don't want to have that -- I'm trying to

1 avoid SRP having to have that discussion.

2 MEMBER LITTLE: Perhaps we could say as
3 transmission provider or as transmission owner,
4 Applicant shall be responsible.

5 MS. GILBERT: We could also add what --

6 CHAIRMAN STAFFORD: I think a couple things.

7 It says there's no solar or BESS components of
8 the project. The project is two transmission lines. So
9 that needs -- that wording needs to be changed.

10 And then, you know, the Applicant is going to
11 determine what future network upgrades are necessary or
12 mitigation measures are done related to the connection
13 of the solar and BESS systems.

14 MR. DERSTINE: If you swapped out, instead of
15 solar and BESS components, Transmission Line 1 and
16 Transmission Line 2?

17 MS. GILBERT: Which is those are defined as the
18 project.

19 So I think, Michele, you can reject the redline
20 results related to the project. Reject the deletion so
21 it reads normally. Oh, keep the results. Sorry.

22 After "related to the project," we want
23 "project" back in. And then delete "solar BESS
24 components of the project."

25 MEMBER LITTLE: Mr. Chairman, just a comment.

1 This is a perfect example of why the way the
2 law is written makes things difficult for us.

3 If you were just building a transmission line
4 connecting two other transmission lines, it would be
5 very different from when you're connecting a generation
6 source or a huge load to that transmission line. When
7 you do the studies, you have to include what's being
8 connected to the transmission line, and not having any
9 authorization over that makes it difficult.

10 MS. GILBERT: And then to address your comment,
11 Chairman, about our role, so "as transmission provider,
12 Applicant shall be responsible," I think it's for
13 "allocating any future network upgrade costs."

14 Because that would be our role as transmission
15 provider under our tariff is to queue the projects,
16 study them, tell them what the upgrades are through the
17 study results, and let them know how much this will cost
18 and what their financial responsibility is and then hold
19 them to it.

20 So perhaps if we -- thanks, Michele.

21 "Shall be responsible for allocating any future
22 network upgrades necessary and enforcing or," or we
23 could leave it "or" just in case.

24 CHAIRMAN STAFFORD: "Responsible for
25 determining --"

1 MS. GILBERT: "Determining" is something good.

2 CHAIRMAN STAFFORD: "-- any future network
3 upgrades necessary or mitigation measures directly
4 related to the solar and the BESS interconnecting with
5 the project."

6 And then so what is the process you go through
7 to make them pay for it before you flip the switch and
8 connect?

9 MS. GILBERT: Yeah. After they get through
10 their study process, their next step is to move to an
11 interconnection agreement where they commit to having
12 their project in service by a certain date. And it
13 includes an appendices of what upgrades are and the
14 details.

15 And then for SRP, we have maybe a little bit of
16 a unique process. They also have to go through and
17 enter -- if they are responsible for network upgrades, a
18 network upgrade funding agreement is what we would
19 likely need them to do and sign and then proceed from
20 there.

21 CHAIRMAN STAFFORD: Member Fontes.

22 MEMBER FONTES: Yes. It's my understanding
23 that that is done after the systems impact study, prior
24 to the signing of the LGIA; is that correct?

25 MS. GILBERT: That is the determination of what

1 impacts are attributed to the project is done -- the
2 system impact study precedes the interconnection
3 agreement and any other funding agreements or EPC
4 agreements.

5 MEMBER FONTES: But that facility study and
6 those cost allocations are done prior to the
7 interconnect agreement; correct?

8 MS. GILBERT: In SRP's process, no. They would
9 have an interconnection agreement. It would be
10 simultaneous.

11 MEMBER FONTES: Okay. Other utilities it
12 precedes it. Thank you for the clarification.

13 MS. GILBERT: So I think it's instead of
14 "allocating," the Chairman said "Applicant shall be
15 responsible for determining."

16 MEMBER LITTLE: Well, now all we're saying is
17 they're just going to determine what they are, and it
18 doesn't say who is going to pay for them.

19 CHAIRMAN STAFFORD: Right. That's the rest of
20 the sentence. She's described the process. Now we've
21 got to put that into words in the condition so it's
22 clear so NextEra can't say, "Oh, so you guys got to pay
23 for it now. Because in our certificates when we build
24 the line, this means that we got to pay for the network
25 upgrades."

1 MS. GILBERT: Directly related to the lowercase
2 BESS and solar -- I'm trying to remember what you said,
3 but I think it was "related to BESS and solar generation
4 interconnecting to the project."

5 And then to Member Little's comment, we've got
6 to say who pays.

7 CHAIRMAN STAFFORD: Then the "as determined by"
8 would be gone, but then it would be "and ensure that the
9 operator of the BESS and solar generation"?

10 MS. GILBERT: It could be and allocate -- how
11 about "allocate the appropriate costs"?

12 CHAIRMAN STAFFORD: "Allocate and collect the
13 appropriate costs."

14 MS. GILBERT: Yeah. "To the interconnection
15 customer."

16 So maybe I'll read that sentence from the top.

17 "So as the transmission provider, Applicant
18 shall be responsible for determining any future network
19 upgrades necessary or mitigation measures directly
20 related to the BESS and solar generation interconnecting
21 to the project and allocate and collect the appropriate
22 costs."

23 CHAIRMAN STAFFORD: Prior to interconnection.

24 MS. GILBERT: "From the interconnection
25 customer."

1 CHAIRMAN STAFFORD: Collate? Spell check
2 strikes again.

3 MEMBER LITTLE: I think there should be a "to"
4 between the "and" and "allocate" on Line 5.

5 I think that looks good.

6 CHAIRMAN STAFFORD: Shouldn't the last sentence
7 be "prior to entering" or would it -- or as part of the
8 interconnection agreement or something?

9 Because you said that's -- if you determine
10 what they are based on the system impact study, then you
11 do the facility study and then it kind of nails it down.

12 But since like -- are they in a cluster for
13 this or is it just a specific -- it wouldn't be, would
14 it? It would just be --

15 MS. GILBERT: It's in a cluster.

16 We could say, instead of "in the
17 interconnection agreement," "in accordance with the
18 generator interconnection procedures," which covers the
19 whole process and all of the agreements.

20 CHAIRMAN STAFFORD: There you go.

21 MS. GILBERT: So that would be "and to allocate
22 and collect the appropriate costs from the
23 interconnection customer in accordance with the
24 generator interconnection procedures."

25 CHAIRMAN STAFFORD: There you go.

1 So is that your motion, Member Little?

2 MEMBER LITTLE: Yes.

3 CHAIRMAN STAFFORD: I think Member Hill is
4 trying to say something, but she's on mute.

5 MEMBER MERCER: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 The motion before the committee is to amend
8 Condition 18 to read, "The Applicant shall provide
9 Commission Staff with a copy of the system impact study
10 results related to the project when finalized, which
11 will be provided under the existing protective agreement
12 with Commission Staff. As the transmission provider,
13 Applicant shall be responsible for determining any
14 future network upgrades necessary or mitigation measures
15 directly related to the BESS and solar generation
16 interconnecting to the project and to allocate and
17 collect the appropriate costs from the interconnection
18 customer in accordance with the generator
19 interconnection procedures."

20 That has been moved and seconded.

21 MEMBER LITTLE: Yes.

22 CHAIRMAN STAFFORD: Further discussion?

23 (No response.)

24 CHAIRMAN STAFFORD: All in favor say aye.

25 (A chorus of ayes.)

1 CHAIRMAN STAFFORD: Opposed?

2 Hearing none, the amendment is adopted.

3 Can I get a motion to adopt Condition 18 as
4 amended?

5 MEMBER MERCER: So moved.

6 MEMBER HILL: Second.

7 CHAIRMAN STAFFORD: Further discussion?

8 (No response.)

9 CHAIRMAN STAFFORD: All in favor say aye.

10 (A chorus of ayes.)

11 CHAIRMAN STAFFORD: Opposed?

12 Hearing none, Condition 18 as amended is
13 adopted.

14 I think we adopted 19.

15 We have not moved Condition 20 yet.

16 MEMBER MERCER: Mr. Chairman, I move adoption
17 of Condition 20.

18 MEMBER HILL: 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, the condition is adopted.

25 Number 21.

1 There's no switchyard for this project; right?

2 MR. DERSTINE: Correct.

3 MEMBER HILL: Mr. Chair, I move approval of
4 Condition 21.

5 MEMBER LITTLE: Second.

6 CHAIRMAN STAFFORD: Further discussion?

7 The draft that you had had 150 feet total but
8 didn't specify, so I changed it to 140 to reflect what
9 you said in the project description and the application.
10 And then it's 280 feet wide if they're parallel, so it's
11 still 140 each line.

12 MS. GILBERT: I think that's correct. Because
13 it's each line, and then when there's two, it's 280.

14 That last sentence there on the maximum height,
15 I think our application indicated 199 feet, so if you
16 could --

17 CHAIRMAN STAFFORD: Okay. I didn't change
18 that.

19 MS. GILBERT: I didn't change that either.

20 CHAIRMAN STAFFORD: All right. Can I get a
21 motion to change the maximum height from 150 to 199?

22 MEMBER LITTLE: So moved.

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, the amendment is adopted.

5 Can I get a motion to adopt Condition 21 as
6 amended?

7 MEMBER MERCER: So moved.

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 21 as amended is
15 adopted.

16 Number 22.

17 MEMBER HILL: Mr. Chair, I move approval of
18 Condition 22.

19 MEMBER MERCER: Second.

20 CHAIRMAN STAFFORD: Further discussion?

21 MEMBER LITTLE: Mr. Chairman.

22 CHAIRMAN STAFFORD: Yes, Member Little.

23 MEMBER LITTLE: I'm wondering why we don't have
24 in this CEC the proposed new condition about the
25 community working group.

1 CHAIRMAN STAFFORD: Because I think the
2 community primarily was concerned with the plant and not
3 the transmission line necessarily. I think they had
4 concerns with the solar, but we don't have jurisdiction
5 over that.

6 MEMBER LITTLE: Oh, okay. Got it.

7 CHAIRMAN STAFFORD: So I thought -- I mean,
8 certainly they can address things with the transmission,
9 but it's not like they're going to be building walls and
10 planting trees to obscure the transmission line, I don't
11 think.

12 MEMBER LITTLE: I agree. I was thinking about
13 the BESS and the solar, but I agree.

14 CHAIRMAN STAFFORD: Okay. But I think they're
15 free to work with the community on mitigations for
16 those. It's just that since they're nonjurisdictional,
17 that's going to be up to them.

18 But it is jurisdictional for the plant. So I
19 think it would behoove them to talk about the solar and
20 BESS when they're talking about the plant, but since
21 it's not jurisdictional, we're not including it.

22 MEMBER LITTLE: I agree.

23 MS. GILBERT: And Ms. Falk and Ms. Hallows,
24 when they meet with the community, there won't be a
25 topic that they wouldn't be willing to chat about, I

1 think, if there's a community concern.

2 CHAIRMAN STAFFORD: All right. And then is
3 September 1st the standard day for SRP compliance, or
4 are you staggered out, or what's the thinking on that?

5 Because I know some applicants want to have all
6 their compliance filings the same day and other ones
7 prefer to stagger them.

8 MS. GILBERT: The team that's responsible for
9 our compliance filings asked to have a little bit of a
10 stagger so that they weren't crushed all at one point in
11 the year, and so that was -- September is what they
12 requested.

13 CHAIRMAN STAFFORD: It's in that cluster of
14 compliance filings, then.

15 And then this requirement goes away once the
16 project's placed in operation.

17 Will this line be in service prior to the
18 plant, I guess, is my question. Because I'm going to
19 assume that the solar and BESS will come on -- will take
20 less time to construct and connect than the gas plant.

21 A. BY MS. LAURENCE: Yes. That's right.

22 CHAIRMAN STAFFORD: Okay. All right.

23 So 22 has been moved and seconded.

24 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 22 is adopted.

5 Number 23.

6 MEMBER FANT: Mr. Chair, I move Condition

7 No. 23 for approval.

8 MEMBER MERCER: 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 23 is adopted.

15 Number 24.

16 MEMBER MERCER: Mr. Chairman, I move approval

17 of Condition 24.

18 MEMBER LITTLE: 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 24 is adopted.

25 Number 25.

1 MEMBER LITTLE: Mr. Chairman, I move approval
2 of Condition 25.

3 MEMBER MERCER: 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 25 is adopted.
10 Number 26.

11 MEMBER LITTLE: Mr. Chairman, I move approval
12 of Condition 26.

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 26 is adopted.

20 On to findings of fact and conclusions of law.
21 We've got a couple new ones here at the end.

22 So the first six are standard. Can we move
23 those as a block or do we need to discuss them more, or
24 did our tinkering with Condition 18 satisfy Member
25 Little?

1 MEMBER LITTLE: Mr. Chairman, I would request
2 that we deal with them one by one.

3 CHAIRMAN STAFFORD: All right. Can I get a
4 motion to adopt Finding of Fact and Conclusion of Law
5 No. 1?

6 MEMBER LITTLE: So move.

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, Finding of Fact and Conclusion of
14 Law No. 1 is adopted.

15 Number 2.

16 MEMBER HILL: Mr. Chair, I move approval of
17 Finding of Fact and Conclusion of Law No. 2.

18 MEMBER MERCER: Second.

19 CHAIRMAN STAFFORD: Further discussion?

20 MEMBER LITTLE: Mr. Chairman, this is the one
21 that I cannot agree with. I have nothing to hang my hat
22 on, basically, to say this without a system impact
23 study, but that is just my explanation for my vote.

24 CHAIRMAN STAFFORD: Okay. You didn't -- what
25 was it? I thought SRP-22, the feasibility study --

1 MEMBER LITTLE: That was the thermal plant.

2 CHAIRMAN STAFFORD: Oh, okay. That didn't have
3 to do with this.

4 All right. Finding of Fact and Conclusion of
5 Law No. 2 has been moved and seconded.

6 Further discussion?

7 (No response.)

8 CHAIRMAN STAFFORD: All in favor say aye.

9 (A chorus of ayes.)

10 CHAIRMAN STAFFORD: Opposed?

11 MEMBER LITTLE: Nay.

12 MEMBER FONTES: Nay.

13 CHAIRMAN STAFFORD: With eight ayes and two
14 nays, Finding of Fact and Conclusion of Law No. 2 is
15 adopted.

16 Number 3.

17 MEMBER LITTLE: Mr. Chairman, I move approval
18 of Finding of Fact and Conclusion of Law No. 3.

19 MEMBER HILL: 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, Finding of Fact and Conclusion of

1 Law No. 3 is adopted.

2 Number 4.

3 MEMBER LITTLE: Mr. Chairman, I move condition

4 -- or Finding of Fact and Conclusion of Law No. 4.

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, Finding of Fact and Conclusion of

12 Law Number 4 is adopted.

13 Number 5.

14 MEMBER MERCER: Mr. Chairman, I move Finding of

15 Fact and Conclusion of Law No. 5.

16 MEMBER HILL: Second.

17 CHAIRMAN STAFFORD: Further discussion?

18 (No response.)

19 CHAIRMAN STAFFORD: All in favor say aye.

20 (A chorus of ayes.)

21 CHAIRMAN STAFFORD: Opposed?

22 MEMBER LITTLE: Nay.

23 CHAIRMAN STAFFORD: Oh, nay?

24 MEMBER LITTLE: Nay.

25 CHAIRMAN STAFFORD: With nine ayes and one nay,

1 Finding of Fact and Conclusion of Law No. 5 is adopted.
2 Number 6.

3 MEMBER FANT: I move Finding of Fact and
4 Conclusion of Law No. 6 for approval.

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 MEMBER LITTLE: Nay.

12 CHAIRMAN STAFFORD: With nine ayes and one nay,
13 Finding of Fact and Conclusion of Law No. 6 is adopted.

14 Number 7. This is an oldie but a goody that
15 sometimes comes back but most of the time is not
16 necessary.

17 I did change it to the "substations" plural
18 because there's -- you have -- there's the BESS
19 substation at the end of line one, and then the solar
20 facilities substation at the end of line two, and then
21 there's the Marigold Substation at the end of both lines
22 that none of those are jurisdictional because they're
23 substations, so I changed it to plural.

24 MS. GILBERT: That's a great edit. That's
25 accurate. Thank you.

1 MEMBER HILL: Mr. Chair, I move approval of
2 Finding of Fact and Conclusion of Law No. 7.

3 MEMBER MERCER: 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, Finding of Fact and Conclusion of
10 Law No. 7 is adopted.

11 Number 8. Now this one I -- no. Let's move it
12 here.

13 MEMBER LITTLE: Mr. Chairman, I move approval
14 of Finding of Fact and Conclusion of Law No. 8.

15 MEMBER MERCER: Second.

16 CHAIRMAN STAFFORD: Further discussion?

17 So for this one -- and I guess we can be more
18 specific when we get to Exhibit A.

19 You have the nonjurisdictional substations at
20 the BESS and the solar facility that travel to the
21 nonjurisdiction Marigold Substation. And then I view
22 the other two -- the three 230 lines coming into
23 Marigold from the power plant as connected with that
24 CEC. But either way, it's not jurisdictional.

25 But then for this line to get beyond the

1 Marigold Substation, you have to have the tie-in to the
2 Duke-Pinal Central 500kV line. So that's the pathway
3 how the electrons go from the solar and storage to the
4 grid at large.

5 So I took out reference to the 230kV lines
6 between the project -- the project's 500kV transmission
7 lines. That's in reference to that. And then I changed
8 or mentioned the two -- well, the 230kV lines coming out
9 of the power plant to the Marigold Substation in the
10 plant one.

11 So is this revision acceptable to the
12 Applicant? Is it accurate?

13 MS. GILBERT: Yes.

14 CHAIRMAN STAFFORD:

15 A. BY MR. McCLELLAN: Yes.

16 CHAIRMAN STAFFORD: Okay. All right. Finding
17 of Fact and Conclusion of Law No. 8 has been moved and
18 seconded.

19 MEMBER FANT: I've got a question.

20 CHAIRMAN STAFFORD: Further discussion?

21 MEMBER FANT: Thank you, Mr. Chair.

22 Ms. Gilbert, Mr. Derstine, is the distance
23 between the Marigold Substation and the Duke-Pinal
24 Central Substation less than a mile to this line?

25 MS. GILBERT: Yes.

1 MEMBER FANT: Thank you.

2 CHAIRMAN STAFFORD: Well, the line. Not the
3 sub -- the Pinal Central Substation is quite a ways
4 away.

5 MEMBER FANT: Oh, right. I'm sorry.
6 Duke-Pinal Central transmission line. I apologize.

7 MS. GILBERT: I apologize. I heard
8 transmission line, but you did say substation. Yes.

9 MEMBER FANT: Yes.

10 CHAIRMAN STAFFORD: All right. No. 8 has been
11 moved and seconded.

12 All in favor say aye.

13 (A chorus of ayes.)

14 CHAIRMAN STAFFORD: Opposed?

15 Hearing none, Finding of Fact and Conclusion of
16 Law No. 8 is adopted.

17 On to Exhibit A.

18 MEMBER LITTLE: We have to go back to the --

19 CHAIRMAN STAFFORD: That is attached to hearing
20 Exhibit SRP-15, I believe. Is that the --

21 MEMBER LITTLE: Yes, that's right.

22 CHAIRMAN STAFFORD: Will you please pull that
23 up.

24 MS. GILBERT: We were just chatting about how
25 to get that up on the screen. I will say, your tablets

1 have an old -- or the version that we filed with the
2 prehearing conference, but we've corrected the corridor
3 to just say 1,000 foot instead of 500 on both sides. So
4 this image --

5 CHAIRMAN STAFFORD: I'm not seeing natural gas
6 lines. Oh, there's the one diagonal one. The top
7 one -- oh, it's not in this shot because this is -- the
8 power plant is not in this one.

9 MS. GILBERT: You got it.

10 CHAIRMAN STAFFORD: Okay.

11 MEMBER LITTLE: Do you want to show ownership
12 of the existing lines? Is that important?

13 CHAIRMAN STAFFORD: Oh, for the existing 500kV
14 line?

15 MEMBER LITTLE: Yes.

16 CHAIRMAN STAFFORD: Does it say it in the
17 legend? No. It does not.

18 Let me pull that up so I can look at it more
19 closely on my tablet here. Okay.

20 MEMBER LITTLE: Is that 500kV line jointly
21 owned?

22 MS. GILBERT: Yes, Member Little. It's a joint
23 participation project asset.

24 MEMBER LITTLE: Then I propose we just leave it
25 off, unless Member Fontes feels strongly about it.

1 CHAIRMAN STAFFORD: Is that a double-circuit or
2 single-circuit 500kV line?

3 A. BY MS. LAURENCE: It's single-circuit 500kV.

4 CHAIRMAN STAFFORD: And that's -- and then we
5 have the one -- I see the gas line and a dotted yellow
6 line, but I don't see it labeled.

7 MS. GILBERT: It's hard to see on the screen,
8 but it's right under that 230kV.

9 CHAIRMAN STAFFORD: I see it now. Okay.

10 MEMBER FONTES: Mr. Chairman, we've always
11 labeled the owner of the physical asset, not separating
12 from that of the joint ownership or participation.

13 I believe that physical asset may be owned by
14 WAPA, and it's WAPA, SRP, and APS that utilize that. If
15 somebody can verify that, it would be good.

16 CHAIRMAN STAFFORD: Well, it's the -- what is
17 it? The Duke to Pinal Central line is owned by --

18 MS. GILBERT: It's the Palo Verde Pinal Central
19 participants, and there's about four or five.

20 Mr. McClellan, do you want to list them off?

21 A. BY MR. McCLELLAN: I believe it's SRP, TEP,
22 AEPCO, and then ED2, ED3, and ED4.

23 MEMBER FONTES: Who is the manager of the
24 physical asset, Mr. McClellan?

25 A. BY MR. McCLELLAN: SRP.

1 MEMBER FONTES: I would just label it as an SRP
2 line. That's what it's always been on the FERC and NERC
3 maps that I've seen.

4 CHAIRMAN STAFFORD: Right. Because it's under
5 your OATT. If they want to book capacity on that line,
6 they have to talk to you; right?

7 MS. GILBERT: We are the operating agent on
8 behalf of all the participants.

9 CHAIRMAN STAFFORD: Okay. Yeah. And then just
10 label it as an SRP line, then. You can put that in the
11 legend. SRP 500kV transmission line.

12 And then the 230kV line at the other side,
13 whose is that?

14 A. BY MS. LAURENCE: The 230kV line, that is
15 co-located with a 500 -- the SRP 500kV line.

16 CHAIRMAN STAFFORD: No. It's over to the left,
17 to the west, running along White and Parker Road.

18 A. BY MR. McCLELLAN: We'll have to take a look
19 and see. We want to confirm who the owner of that line
20 is.

21 CHAIRMAN STAFFORD: It's another one of SRP's
22 lines?

23 A. BY MR. McCLELLAN: It's not SRP. I do know
24 that.

25 CHAIRMAN STAFFORD: Okay.

1 A. BY MR. McCLELLAN: We're discussing whether
2 it's WAPA or APS.

3 CHAIRMAN STAFFORD: Well, do we want to amend
4 this Exhibit A to include -- to denote in the legend the
5 ownership of the existing 230 and 500kV lines?

6 Member Fontes.

7 MEMBER LITTLE: I think it would be useful.

8 MEMBER FONTES: Member Little, what are your
9 thoughts on that?

10 MEMBER LITTLE: Excuse me. What are my what?

11 MEMBER FONTES: Thoughts on the labeling that
12 the Chairman --

13 MEMBER LITTLE: I would just like to know who
14 owns the lines, if it would be possible to find out who
15 owns that line.

16 MEMBER FONTES: That would be consistent with
17 what we've done historically, Mr. Derstine, as you'll
18 recall. And that's just for the public and for future
19 references in case there's any kind of an amendment or
20 reference to this project.

21 It is an energy center so, in theory, I would
22 assume future growth could be a factor here for future
23 CECs.

24 MR. DERSTINE: I think we're going to -- we
25 will amend the exhibit to reflect an SRP label on the

1 500kV Duke line. And we'll determine who owns the 230
2 line on the left side and add that ownership with a
3 callout either in the legend or on the map. It
4 shouldn't be hard to do.

5 MEMBER FONTES: The reason I always point out
6 the WAPA one is because it triggers NEPA when you're
7 dealing with a federal line. I don't think that's the
8 case here, but with the absence of data, I think,
9 Mr. Chairman, my recommendation is we just be thorough,
10 and we've got a precedent and we go with it.

11 CHAIRMAN STAFFORD: Right. So do I have a
12 motion to amend Exhibit A to label the owners, slash,
13 operators of the existing 500kV and 230kV lines in the
14 legend?

15 MEMBER FONTES: So move.

16 MEMBER MERCER: Second.

17 MEMBER COMSTOCK: Mr. Chairman?

18 CHAIRMAN STAFFORD: Further discussion?

19 Member Comstock.

20 MEMBER COMSTOCK: In order to be consistent --

21 CHAIRMAN STAFFORD: Wait. If you're going to
22 talk about the gas line, let's wait. We have a motion
23 to amend --

24 MEMBER COMSTOCK: I'm not going to talk about
25 the gas line. I'm going to talk about the proposal for

1 the electric line. It's in yellow, and it should not be
2 in yellow. It should be in some type of red to denote
3 that.

4 CHAIRMAN STAFFORD: Okay. Let's pass this
5 motion and then we'll move to make other changes.

6 So further discussion on this amendment?

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 Okay. Now we need to make the change to the
13 color of the proposed transmission lines. They're not
14 yellow.

15 MR. DERSTINE: It may not show up well. I
16 think the legend reflects it or is intended to reflect
17 it as orange and not yellow. But if that's too close to
18 yellow and you want us to make it a different color.

19 CHAIRMAN STAFFORD: I think orange would work.
20 Oh, and then you've already made the change to make
21 it -- instead of having 500 foot on either side, you
22 have it as a 1,000-foot corridor in those two sections.

23 MS. GILBERT: Yes.

24 CHAIRMAN STAFFORD: We started with the
25 Exhibit A attached to hearing Exhibit SRP-15. We need

1 to make that amendment as well.

2 MEMBER COMSTOCK: Mr. Chairman.

3 CHAIRMAN STAFFORD: Yes.

4 MEMBER COMSTOCK: I hate to be a stickler for
5 regulation, but that's what utilities do.

6 Orange is telecommunication lines by marking
7 requirements. So electric is red in the state of
8 Arizona and nationally and orange is telecommunications.

9 MEMBER FONTES: Mr. Chairman, I would like to
10 orient the Applicant that the Western Electric
11 Coordination Council, the WECC maps are also as Member
12 Comstock is referring.

13 Member Comstock, I might -- I don't think we've
14 had this Applicant and you have that reference. You
15 know it off the top of your head that they should be
16 using for color coding of marking utilities. Could you
17 cite that for them?

18 MEMBER COMSTOCK: Well, it's the locate law for
19 the state of Arizona. I don't have the exact code, but
20 I can find it. Give me a couple of seconds.

21 MEMBER LITTLE: But they can't all be red
22 because they're different voltages.

23 MS. GILBERT: Perhaps we could make it a red
24 diamond or a red square line instead of the same shape.

25 I'm looking at Ms. Justus who would be

1 revising. She's nodding her head yes, so I think we'll
2 make it red in a little bit of a different shade.

3 MEMBER LITTLE: That would work. Sort of
4 reddish.

5 MS. GILBERT: Pink.

6 MEMBER COMSTOCK: Mr. Chairman, the symbology
7 for the line doesn't matter. It's the color code that
8 is used out in the field to denote the type of utility
9 line that's there.

10 CHAIRMAN STAFFORD: All right. Before we start
11 moving colors, can I get a motion to change the
12 description of the corridor width from 500 on each side
13 to 1,000-width corridor in the two sections on the map?

14 MEMBER MERCER: So move.

15 MEMBER FANT: 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.

22 So what are we doing about the colors, then?

23 MS. GILBERT: Chairman Stafford, we'll make all
24 the transmission lines red, and we'll use different
25 shapes to indicate that they're different lines. Or

1 different voltages. Excuse me.

2 CHAIRMAN STAFFORD: So you'll have --

3 MS. GILBERT: So we have red circles for that
4 500kV line.

5 CHAIRMAN STAFFORD: The existing line.

6 MS. GILBERT: Yes.

7 The existing 230 line that's currently in
8 orange, we would make that some red triangles or
9 squares, perhaps, instead of circles.

10 And then, Member Comstock, I think your comment
11 would also apply to the new proposed 230kV lines, or
12 would it not?

13 MEMBER COMSTOCK: Yes, ma'am. It would.

14 MS. GILBERT: So we would do a dashed red line
15 for the 230kV lines between the Marigold Substation and
16 the BESS collector substation, and then a solid red line
17 between the 230 -- the Marigold Substation and the solar
18 substation.

19 CHAIRMAN STAFFORD: Well, the solid one is the
20 one between the substation and the existing transmission
21 line.

22 MS. GILBERT: So we would have to find another
23 shape for that, but we can -- I trust Ms. Justus.

24 CHAIRMAN STAFFORD: And then would it be a
25 solid yellow line for the gas line that's crossing

1 diagonally, or can that be dashed, Member Comstock?

2 MEMBER COMSTOCK: If we're going to make the
3 changes, it should be solid.

4 Mr. Chairman, for the record, the regulatory
5 requirement is called the Arizona Underground Facilities
6 Law. It's also known as the One-Call System or
7 Arizona 811.

8 CHAIRMAN STAFFORD: Okay.

9 MS. GILBERT: Ms. Justus, is that all feasible
10 or do you have a follow-up question?

11 A. BY MS. JUSTUS: There are multiple owners of
12 230kV lines that appear on the map. Might I suggest
13 that we label the owner next to the line so you know
14 which owner goes with which line rather than just
15 putting them all in the legend.

16 CHAIRMAN STAFFORD: For the 500kV line, that's
17 operated by SRP so you can just call that an SRP line.

18 The 230kV line, who operates that?

19 A. BY MR. McCLELLAN: That's the one along White
20 and Parker Road. It's an APS 230kV line.

21 I believe what Ms. Justus is talking about is
22 on the same set of poles of the existing 500kV line,
23 there's an additional 230 circuit on there that's owned
24 by WAPA.

25 CHAIRMAN STAFFORD: Okay. Because I thought it

1 was double-circuit when I looked when I drove past it.

2 MS. GILBERT: So the 500 portion is the SRP
3 would be indicated as the owner, and then the 230
4 portion we would indicate WAPA.

5 CHAIRMAN STAFFORD: You can just put that in
6 the legend. Because it's the red, whatever shape it's
7 going to be, put it in the legend so -- you know, it's
8 easier to see it in the legend.

9 It's just SRP's 500kV line and WAPA 230kV line.
10 Just have one. You don't need to have another different
11 shape underneath. It's just getting too much stuff.

12 MS. GILBERT: Thank you.

13 CHAIRMAN STAFFORD: All right.

14 MEMBER FONTES: Mr. Chairman.

15 CHAIRMAN STAFFORD: Yes, Member Fontes.

16 MEMBER FONTES: I think the Applicant is going
17 to fine-tune the exhibit and the map after the hearing.

18 An additional reference that I always encourage
19 applicants to look at is the Western Electric
20 Coordinating Council, the WECC map that you may be
21 familiar with. SRP has it. And that's used throughout
22 Arizona in terms of markings and color coding, and it
23 corresponds to Member Comstock's reference as well.

24 CHAIRMAN STAFFORD: All right. So do we have
25 a -- we've discussed the color changes. Do we have a

1 motion to make that change to Exhibit A?

2 MEMBER LITTLE: Mr. Chairman, I move all of
3 those changes.

4 CHAIRMAN STAFFORD: Okay. The change will be
5 to make all the transmission lines red with different
6 shapes for the voltages and the ownership or operators
7 to the legend and then -- that's your motion?

8 MEMBER LITTLE: Yes.

9 CHAIRMAN STAFFORD: Okay.

10 MEMBER MERCER: Second.

11 CHAIRMAN STAFFORD: All in favor say aye.

12 (A chorus of ayes.)

13 CHAIRMAN STAFFORD: Opposed?

14 Hearing none, the amendment is adopted.

15 And then, Member Comstock, I assume you want to
16 move to make the gas line a solid yellow line and add
17 the owner/operator to the legend?

18 MEMBER COMSTOCK: Yes, sir. That's correct.

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, that amendment is adopted.

1 Do we need to make any additional amendments or
2 are we ready to move Exhibit A as amended?

3 MEMBER HILL: Mr. Chair, I'll move Exhibit A as
4 amended.

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 as amended is adopted.

12 On to Exhibit B.

13 MS. GILBERT: We'll just need a minute to pull
14 up Exhibit B to the screen.

15 CHAIRMAN STAFFORD: Can I get a motion to adopt
16 the Exhibit B attached to the draft CEC from hearing
17 Exhibit SRP-15?

18 MEMBER LITTLE: So move.

19 MEMBER FANT: Second.

20 CHAIRMAN STAFFORD: All right. On to further
21 discussion?

22 In looking at it, the one suggestion that I
23 would have would be we could remove the reference to
24 minimizing electrocution and collision for birds because
25 we have a separate condition that already has that. So

1 that seems redundant to include it again here in
2 Exhibit B. That would be my suggestion.

3 MS. GILBERT: The Applicant is amenable to
4 that.

5 CHAIRMAN STAFFORD: Can I get a motion?

6 MEMBER FANT: I move to remove the provision
7 which references collision with wires and electrocution
8 of birds from Exhibit B.

9 MEMBER LITTLE: Second.

10 CHAIRMAN STAFFORD: 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, the amendment is adopted.

16 I don't know if we need to pull it up on the
17 screen. I mean, everything else is, I think --

18 MS. GILBERT: And we'll make that change to the
19 chart and make sure it gets back to you.

20 CHAIRMAN STAFFORD: Yeah, that's fine. You can
21 just make that before you send it to Tod when we
22 finalize it.

23 Yes, Member Fant.

24 MEMBER FANT: Yes. Should we add a reference
25 in there to encourage that SRP will encourage NextEra to

1 join the community council?

2 CHAIRMAN STAFFORD: No, because this is --
3 Exhibit B is described as environmental mitigations.

4 MEMBER FANT: I'm sorry. Wrong one. I
5 apologize.

6 CHAIRMAN STAFFORD: I think that's going to
7 come up in the next one, which we're going to take a
8 break before we start on that, though.

9 MEMBER FANT: I'm sorry. I got my exhibits
10 mixed up.

11 CHAIRMAN STAFFORD: Okay. Any more changes
12 suggested to Exhibit B for the CEC 267?

13 Hearing none, can I get a motion to adopt
14 Exhibit B as amended?

15 MEMBER MERCER: So move.

16 MEMBER LITTLE: Second.

17 CHAIRMAN STAFFORD: Further discussion?
18 (No response.)

19 CHAIRMAN STAFFORD: All in favor say aye.
20 (A chorus of ayes.)

21 CHAIRMAN STAFFORD: Opposed?

22 MEMBER HILL: Mr. Chair, I didn't get
23 my further --

24 CHAIRMAN STAFFORD: Opposed?

25 Hearing none, Exhibit B is adopted.

1 MEMBER HILL: No, I literally --

2 CHAIRMAN STAFFORD: Member Hill, we were in the
3 middle of a motion.

4 MEMBER HILL: Well, you said further
5 discussion, and I didn't get to get my further
6 discussion in, you moved so quickly.

7 CHAIRMAN STAFFORD: And then I said all in
8 favor say aye, and then I said opposed, and then you
9 asked for further discussion after.

10 We can open it back up and discuss things
11 further if you want to make additional changes to
12 Exhibit B. It's just that we can't stop -- can't change
13 the horses midstream, so to speak.

14 MEMBER HILL: Okay. The Exhibit B that I'm
15 looking at says lighting at the project switchyard. So
16 I don't remember a switchyard being part of this
17 project, so that didn't make sense to me.

18 Is that the same version that you're looking
19 at? Because it's not on the screen, so I just wanted
20 to --

21 CHAIRMAN STAFFORD: I'm looking at this table
22 -- what is it? The Exhibit B to SRP-15, and it says
23 lighting at the project substation.

24 MEMBER HILL: I guess because it's not on the
25 screen, I'm not sure which one we're looking at, and

1 it's not in what Tod sent me this morning, so that's why
2 I was struggling.

3 MS. GILBERT: Member Hill, I think I can maybe
4 explain a little bit. There was a typo, as you've
5 called out, where it references "switchyard" and it
6 should have said "substation." That's in the Exhibit B.

7 I'm not sure what chart you're looking at, but
8 it says that in the application. When we were preparing
9 the proposed exhibits for the CEC, we caught that typo
10 and fixed it.

11 MEMBER HILL: Okay.

12 MS. GILBERT: But you are right. If you're
13 looking at the application, it says switchyard, and
14 that's wrong. We don't have a switchyard here. It
15 should be substation.

16 MEMBER HILL: Okay. So then you approved the
17 right version.

18 CHAIRMAN STAFFORD: Beg your pardon?

19 MEMBER HILL: Then we approved the right
20 version.

21 CHAIRMAN STAFFORD: Yes, yes.

22 MEMBER HILL: Okay.

23 CHAIRMAN STAFFORD: Because we were going off
24 the one from hearing Exhibit 15, which is -- they had
25 fixed the typo for that.

1 MEMBER HILL: Okay. Then I have no further
2 questions.

3 CHAIRMAN STAFFORD: Okay. All right. So we
4 did adopt Exhibit B as amended; right? Okay.

5 I think now we're ready to vote the certificate
6 as a whole.

7 Can I get a motion to adopt the certificate CEC
8 267 as amended?

9 MEMBER MERCER: So moved.

10 MEMBER HILL: Second.

11 CHAIRMAN STAFFORD: Further discussion?

12 (No response.)

13 CHAIRMAN STAFFORD: All those in favor say --
14 wait. We'll do a roll call vote. I'm getting ahead of
15 myself here.

16 Member Comstock.

17 MEMBER COMSTOCK: Yes.

18 CHAIRMAN STAFFORD: Member Mercer.

19 MEMBER MERCER: Mr. Chairman, I had prepared a
20 statement. I'm not sure if this is the right time to do
21 it.

22 CHAIRMAN STAFFORD: If it's about the
23 transmission line, then yes.

24 MEMBER MERCER: Yes.

25 So I want to begin by acknowledging the

1 residents of the Santa Rosa Ranchos, Stanfield, and the
2 surrounding communities who have participated in this
3 proceeding and taken the time to bring their concerns
4 before this committee. I have listened carefully to
5 those concerns, and I believe the committee has an
6 obligation to take them seriously.

7 The committee demonstrated that commitment
8 yesterday by spending approximately five hours
9 addressing the community's petition, including the 27
10 proposed conditions and the additional concerns brought
11 forward. That discussion was important because it
12 allowed us to examine those concerns carefully and,
13 equally important, to clarify what is within the
14 jurisdiction and purview of this committee and what
15 falls under the authority of other governmental
16 agencies.

17 I personally want to be very clear about
18 something. Listening to concerns does not necessarily
19 mean that the committee has the statutory authority to
20 resolve it through a Certificate of Environmental
21 Compatibility. Our responsibility is to work within the
22 authority granted to us and to make our decision based
23 upon the evidence presented in this proceeding.

24 I have considered the concerns raised by the
25 community. I have also considered the three-plus days

1 of testimony, exhibits, studies, responses, mitigation
2 measures, and comments presented by the Applicant.
3 Everyone in this committee have asked questions,
4 listened to the answers, and considered the information
5 provided regarding the environmental, biological,
6 cultural, water, safety, infrastructure, and reliability
7 and other issues properly before this committee.

8 After doing so, I am satisfied that the
9 Applicant has conducted the due diligence required
10 through the CEC process and has addressed the matters
11 within this committee's jurisdiction.

12 I also recognize that reasonable people can
13 look at the same project and reach very different
14 conclusions about whether they want that project located
15 near their homes. I respect a community's right to
16 express opposition to a project and to participate
17 vigorously in this process.

18 But my responsibility as a committee member is
19 different. My responsibility is not to determine
20 whether I personally like the project, whether I would
21 like it in my own backyard, or whether every member of
22 the public is satisfied with the outcome. My
23 responsibility is to independently evaluate the
24 application against the evidence and the statutory
25 responsibilities entrusted to this committee.

1 My consideration of these matters is,
2 therefore, based on the record before us and on the
3 responsibilities and jurisdiction entrusted to this
4 committee. I appreciate the members of the public who
5 participated in this process, including those who have
6 expressed strong concerns or disagreement with the
7 proposed projects. They have a right to be heard, and
8 their concerns have been heard and considered by this
9 committee.

10 I have listened. I have questioned. I have
11 considered the evidence. I have considered the concerns
12 raised by the community, and I have carefully considered
13 the jurisdiction and purview of this committee. My
14 responsibility is to make an independent determination
15 based upon the record, the law, and the jurisdiction
16 entrusted to this committee.

17 That's my comment for the record.

18 CHAIRMAN STAFFORD: And your vote was?

19 MEMBER MERCER: And my vote is aye.

20 CHAIRMAN STAFFORD: Okay. Thank you.

21 Member Fant.

22 MEMBER FANT: Aye.

23 CHAIRMAN STAFFORD: Member Little.

24 MEMBER LITTLE: Mr. Chairman, I would also like
25 to make a brief statement, if I may.

1 CHAIRMAN STAFFORD: Please do.

2 MEMBER LITTLE: First of all, I would commend
3 and thank the Applicant for a very complete and good
4 presentation to us of all the information. This
5 Applicant has certainly met the requirements of
6 providing us the information necessary to make a
7 decision on environmental compatibility.

8 I would also like to particularly thank the
9 Applicant for providing the information on showing need
10 for this project. That's a first in my experience, and
11 I appreciate it very much.

12 I appreciate, as Member Mercer said, the
13 participation of the public very much. I think it's
14 important that we hear that.

15 This is a good project, and it is definitely --
16 the Applicant has shown that it's important to SRP and
17 it's important to the state.

18 However, as a member appointed to represent the
19 public, there are a couple of places in -- what is the
20 law -- 40-360.06, which outlines the factors to be
21 considered, which Mr. Derstine put up on the screen for
22 us during his closing.

23 There are a couple of areas that I feel are
24 particularly important for me as a representative of the
25 public to consider. One of those says "existing plans

1 of this state, local government and private entities for
2 other developments at or in the vicinity of the proposed
3 site." Another of them says that we should consider the
4 total environment of the area.

5 And although I believe that this is a good
6 project, SRP needs it, the state needs it, I think if I
7 consider the information that's provided and we observed
8 and we heard testimony about as far as the total
9 environment of the area, what's happening there, the
10 fact that permanent -- the agricultural lands that are
11 lost will be permanent losses, I feel an obligation --
12 and this was very difficult for me, believe me -- I feel
13 the obligation to vote no.

14 CHAIRMAN STAFFORD: Member Drago.

15 MEMBER DRAGO: I vote aye.

16 CHAIRMAN STAFFORD: Member Hill.

17 MEMBER HILL: Thank you, Mr. Chair.

18 I vote aye.

19 CHAIRMAN STAFFORD: Member DiCiccio.

20 MEMBER DiCICCIO: I don't have a prepared
21 speech, but I want to say that what Ms. Mercer said was
22 right spot on. I could not have said that better.

23 I believe SRP put together one of the best
24 presentations I have ever heard, at least as long as
25 I've been on the committee. Kudos to you for doing such

1 an amazing job. That also tells me they're going to be
2 putting together an amazing project.

3 They have been a completely responsible entity
4 in the state of Arizona, always have done the right
5 thing for the public, not only for their board but for
6 the public as well. I am more than happy to vote yes on
7 this. It's needed in the state of Arizona.

8 I vote yes.

9 CHAIRMAN STAFFORD: Member Fontes.

10 MEMBER FONTES: I vote aye.

11 CHAIRMAN STAFFORD: Member Meeker.

12 MEMBER MEEKER: I vote aye.

13 CHAIRMAN STAFFORD: And I vote aye.

14 By a vote of nine ayes and one nay,

15 Certificate 267 is approved.

16 With that, let's take a recess.

17 (A recess was taken from 4:04 p.m. to
18 4:22 p.m.)

19 CHAIRMAN STAFFORD: Let's go back on the
20 record.

21 Up next is Case 268. I don't think we're going
22 to make it through the certificate this evening. You
23 know, it's almost 4:30. The prior one took longer than
24 I thought it was going to.

25 My thought is that we'll recess for the day,

1 come back here at 9:00 sharp, and begin deliberations on
2 268.

3 I would advise the members to review Chairman's
4 Exhibit 3, which is the PDF of the certificate, so you
5 won't have to review it again when we start moving the
6 descriptions and the conditions and whatnot. And that
7 if you have any additional amendments to it, be ready to
8 propose them at the appropriate condition.

9 Anything from members?

10 Use your microphone, Member Fant.

11 MEMBER FANT: New conditions outside of the 27
12 that were considered?

13 CHAIRMAN STAFFORD: Whatever you want to
14 propose. If those are satisfactory, then we can use
15 those. They've been included in Chairman's 3, the ones
16 that they had in their Exhibit 26. Those have been
17 incorporated into Chairman's 3. So if those are
18 sufficient, then you won't need anything else.

19 If there's other things that you think need to
20 be changed to make it better or acceptable to you as a
21 member, then you're free to suggest those.

22 MEMBER FANT: Bring those up tomorrow morning;
23 right?

24 CHAIRMAN STAFFORD: Right. If there's anything
25 else you want to add to it, be ready to do it.

1 MEMBER FANT: Immediately.

2 CHAIRMAN STAFFORD: Right. Well, when we get
3 to the appropriate condition or whatever it is.

4 MEMBER FANT: Oh, okay.

5 CHAIRMAN STAFFORD: As we move through it.
6 Anything from the Applicant?

7 MR. DERSTINE: Other than disappointment, no.
8 We understand.

9 MEMBER DiCICCIO: Mr. Chair.

10 CHAIRMAN STAFFORD: Yes, Member DiCiccio.

11 MEMBER DiCICCIO: I won't be around tomorrow.
12 I'm having a procedure done early in the morning
13 tomorrow, so just letting you know. I'm good with this.

14 CHAIRMAN STAFFORD: All right. Well, with
15 that, we will recess until tomorrow morning at 9:00.

16 (The hearing recessed at 4:24 p.m.)
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25

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 30th 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

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