

1 BEFORE THE ARIZONA POWER PLANT LS-273

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE) DOCKET NO.
 APPLICATION OF ELEVEN MILE) L-21213A-22-0300-00212
 5 SOLAR CENTER LLC, IN)
 CONFORMANCE WITH THE)
 6 REQUIREMENTS OF ARIZONA REVISED)
 STATUTES 40-360, ET SEQ., FOR A) CASE NO. 212
 7 CERTIFICATE OF ENVIRONMENTAL)
 COMPATIBILITY AUTHORIZING THE)
 8 CONSTRUCTION OF A 230 kV)
 TRANSMISSION LINE OF)
 9 APPROXIMATELY .3 MILE IN LENGTH)
 NEEDED TO CONNECT THE ELEVEN)
 10 MILE SOLAR CENTER TO THE PINAL) EVIDENTIARY HEARING
 CENTRAL SUBSTATION IN PINAL)
 11 COUNTY, ARIZONA)
 _____)

12

13 At: Casa Grande, Arizona

14 Date: January 17, 2023

15 Filed: January 23, 2023

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17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

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VOLUME I
(Pages 1 through 132)

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By: Jennifer Honn, RPR
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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 Radisson Hotel Casa Grande, 777 North
5 Pinal Avenue, Casa Grande, Arizona, commencing at
6 1:11 p.m. on January 17, 2023.

7

8 BEFORE: PAUL A. KATZ, Chairman

9 GABRIELA S. MERCER, Arizona Corporation Commission
10 LEONARD DRAGO, Department of Environmental Quality
11 DAVID FRENCH, Arizona Department of Water Resources
12 JAMES PALMER, Agriculture Interests
13 MARY HAMWAY, Incorporated Cities and Towns
14 RICK GRINNELL, Counties
(via videoconference)
KARL GENTLES, General Public
(via videoconference)
MARGARET "TOBY" LITTLE, PE, General Public
(via videoconference)

15

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25 // continued

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1 CHMN KATZ: Good afternoon, everyone. This is
2 the time that we have set for a Certificate of
3 Environmental Compliance hearing in CEC-212. We should
4 be on the record if I didn't say so.

5 And this is the application of Eleven Mile Solar
6 Center, LLC for a 230kV transmission line.

7 And our court reporter Jennifer Honn is present.

8 And I would ask counsel who is representing the
9 applicant in this matter if you would to kindly identify
10 himself for the record.

11 MR. DERSTINE: Thank you, Mr. Chairman.

12 Matt Derstine of Snell & Wilmer appearing on
13 behalf of Eleven Mile Solar Center, LLC.

14 CHMN KATZ: Thank you very much.

15 And I'm going to start at my left. We have a
16 brand-new member, and I didn't ask Gabby whether it's
17 Gabriel or Gabrielle.

18 MEMBER MERCER: Gabriela.

19 CHMN KATZ: Gabriela Mercer is the newest member
20 of this Committee. She's replaced Daniel Schwiebert.
21 And she represents or is here as a designee of the
22 Arizona Corporation Commission.

23 And I'll then ask her if she would to just to
24 state your name for the record.

25 MEMBER MERCER: Gabriela Saucedo Mercer.

1 CHMN KATZ: Thank you.

2 And next?

3 MEMBER DRAGO: Leonard Drago, designee for the
4 Arizona Department of Environmental Quality.

5 MEMBER FRENCH: David French. Director's
6 designee for the Arizona Department of Water Resources.

7 MEMBER HAMWAY: Mary Hamway, representing cities
8 and towns.

9 MEMBER PALMER: Jim Palmer, representing
10 agriculture.

11 CHMN KATZ: And I believe we have two folks who
12 are appearing virtually. And we'll have ladies -- or
13 women go first.

14 And, Toby, I believe you can identify yourself
15 for the record. I believe you should be with us.

16 And then I believe Rick Grinnell can identify
17 himself.

18 MEMBER LITTLE: Toby Little, representing the
19 public.

20 CHMN KATZ: Welcome and good to see you.

21 And Mr. Grinnell.

22 MEMBER GRINNELL: Rick Grinnell, representing
23 the counties and just say hello to my friend Gabby,
24 Gabriela.

25 CHMN KATZ: And welcome as always.

1 I believe that we are ready to begin
2 momentarily.

3 I understand that SunDog Energy -- and I don't
4 know their full name. I didn't pull up the pleading --
5 has moved to intervene.

6 And I don't know if Bert -- yeah, I see Bert or
7 Mr. Acken present. So I'll have him identify himself for
8 the record and indicate on whose behalf he's appearing
9 here this afternoon.

10 MR. ACKEN: Good afternoon, Chairman and Members
11 of the Committee. Bert Acken of Acken Law and Sarah Noe
12 of Ballard Spahr on behalf of the proposed intervenor
13 SunDog Energy Center, LLC.

14 It's a pleasure to be with you this afternoon.
15 This is the first time I've ever been virtual. So it's a
16 little different. So thank you.

17 CHMN KATZ: And I believe that an agreement may
18 have been reached. We can vote on whether or not to
19 allow the intervention, but let me just first have
20 Mr. Derstine indicate what agreements have been reached
21 with SunDog Energy, and I'll then have Mr. Acken confirm
22 that and indicate whether he's going to be participating
23 in the hearing or just being a casual observer.

24 But, anyway, go ahead, if you would, and
25 describe for us kindly what the agreement might be

1 between the applicant Eleven Mile Solar Center, LLC, and
2 Mr. Acken's client.

3 MR. DERSTINE: Yes. Thank you, Chairman. We
4 had a pre-filing conference. Mr. Acken appeared on
5 behalf of his client, SunDog, indicating they intended to
6 intervene. The purpose of the intervention was to seek a
7 CEC condition concerning -- well, a condition that this
8 committee has seen and approved in a few prior cases
9 requiring the applicant to enter into good faith
10 negotiations over a commercially reasonable easement
11 across a portion of the land that's owned or controlled
12 by the applicant Eleven Mile Solar Center. It does not
13 involve the gen-tie line or any of the property that
14 we're seeking to site the gen-tie.

15 The right-of-way where the easement that SunDog
16 is seeking is over a parcel that is for the broader solar
17 project. But, as I indicated in the pre-hearing
18 conference, we would communicate and work with Mr. Acken
19 to see if we could reach an agreement on the language for
20 this condition. We've done that. It would be the
21 standard CEC good faith commercially reasonable condition
22 but substituting 60 days in place of the 30 days that was
23 in some of those prior conditions.

24 The reason for that is, is that applicant just
25 acquired control of the parcel that SunDog is seeking an

1 easement for, and Eleven Mile Solar needs a little
2 additional time to be in a position to negotiate.

3 But that is our agreement as I understand it,
4 and I'll let Mr. Acken comment on whether I have that
5 right and his plans for the rest of the case.

6 CHMN KATZ: Mr. Acken, please.

7 MR. ACKEN: Chairman, Mr. Derstine appropriately
8 characterized the discussions. SunDog greatly
9 appreciates the applicant's efforts to work with us on
10 this proposed condition or the stipulated condition.
11 Mr. Derstine mentioned this is a condition that the
12 Committee has approved in a couple other cases where you
13 have situations where you have multiple entities trying
14 to get into certain substations that have a lot of
15 traffic for lack of a better term.

16 So we fully support the stipulated condition.
17 We request its approval. We would ask that we be granted
18 party status as an intervenor assuming a Committee
19 doesn't have questions about the stipulated condition.

20 We would ask to be excused for the remainder of
21 the proceeding so that our participation would be only in
22 a monitoring role but as party status so that we can
23 continue to advocate for this condition as need be before
24 the Commission as well.

25 CHMN KATZ: That's fine. That all being said,

1 there's basically limited -- or intervention for a
2 limited purpose, and that was to make the record on what
3 the parties have tentatively agreed to be a condition
4 that we would be adding to the CEC.

5 And, obviously, we can keep you posted if
6 there's any closing remarks you wish to make, but it's
7 not your intent right now to examine or cross-examine any
8 witnesses in these proceedings; is that correct?

9 MR. ACKEN: That's correct, Mr. Chairman. And
10 this stipulated condition that the parties agreed to
11 addresses my client's concerns, and that's why we would
12 ask to be excused, and we will have no intention of
13 putting on a witness or cross-examining any of the
14 applicant's witnesses at this time.

15 Again, I would like to preserve party status as
16 opposed to the limited intervention or whatever that one
17 term is under the statute. We would request full party
18 status as a full intervenor, but we would also ask then
19 to be excused from the proceeding unless there are
20 specific questions regarding that stipulated condition.
21 Then we'd be happy to address those.

22 CHMN KATZ: That all being said, I would
23 entertain a motion from the Committee to allow Mr. Acken,
24 even though he's not going to be actively participating
25 today beyond what has already occurred, but allowing them

1 to intervene as a party in this matter.

2 MEMBER PALMER: I would so move, Mr. Chairman.

3 MEMBER HAMWAY: Second.

4 CHMN KATZ: All in favor say "aye."

5 (A chorus of "ayes.")

6 CHMN KATZ: Anybody opposed?

7 (No response.)

8 CHMN KATZ: You will be allowed to participate
9 as an intervenor. We will let you know before our
10 closing argument in the event that there's anything
11 further that you need to add for the record. Okay.

12 MR. ACKEN: Thank you, Chairman, Members of the
13 Committee, for your time. I greatly appreciate it.

14 CHMN KATZ: Right. And, again, you're,
15 obviously, at any point in time welcomed to rejoin us to
16 observe what is going on. Okay.

17 MR. ACKEN: Thank you.

18 CHMN KATZ: That being said, do you want to
19 identify your witnesses and have them sworn or affirmed
20 first, or would you prefer to make a brief opening
21 statement?

22 I don't care which way we go.

23 MR. DERSTINE: I would like to take a few
24 minutes of your time to make a brief opening statement,
25 if I may.

1 CHMN KATZ: Please.

2 MR. DERSTINE: I know what you're thinking.

3 Yeah. It's another short gen-tie case. You thought it,
4 and we've talked about it on various occasions. These
5 short gen-tie projects consume a lot of time of this
6 Committee.

7 Part of the 18-month wait that new applicants
8 have to hold their projects before they can get a new
9 case before this Committee, the feeling is that there
10 must be a better way to deal with these short cases.

11 And I know, in fact, that you have a special
12 open meeting noticed for tomorrow afternoon to consider
13 and explore new legislation or amending the siting
14 statute to come up with ways to better address these
15 short cases.

16 I don't have to tell the members of this
17 Committee that revising or amending the current siting
18 statute that was adopted in 1971 may take some time.
19 Sometimes that process takes longer than we would like it
20 to even for what we would consider to be a short
21 uncontroversial amendment to a statute. But we certainly
22 support your efforts in that regard.

23 But I also wanted to bring to your attention,
24 there's a docket at the Commission that was opened at the
25 end of last year, the tail end by Commissioner Marq- --

1 at the time Commissioner Marquez Peterson was the
2 chairman at the time. The stated purpose of this new
3 docket is to help the Commission relieve the great
4 backlog of CEC applications at the siting Committee.

5 That docket -- in connection with that docket
6 there was a letter that was filed on January 5 that
7 suggested issuing a policy statement by the Commission on
8 the number of structures that constitute a series for
9 purposes of the transmission line definition would be one
10 approach to limit the number of short gen-tie cases and
11 certainly the uncertainty that surrounds the series
12 definition.

13 Right now there's nothing in the statute that
14 tells you or me or project developers how many structures
15 constitute a series. I've always followed and advised my
16 clients on the three or more rule. But, as you know, you
17 heard at least three cases last year that involved two
18 structures and maybe less than two structures depending
19 on how you define a structure.

20 And so this new docket and the letter -- policy
21 statement letter requests input from members of this
22 Committee and others, developers, lawyers, on what's the
23 proper number to constitute a series for the existing
24 statute as a way of maybe reducing the number of these
25 short gen-tie cases.

1 It is -- you know, whether this is a faster and
2 more expeditious way to deal with the case backlog while
3 you pursue changes to the legislation I think we can move
4 in parallel paths. And I simply bring it up here in case
5 you haven't seen it, I've got copies of the recent
6 January 5 letter.

7 I have some clients who intend to file letters
8 to the docket indicating their view of what is the proper
9 definition of a series because there is uncertainty.
10 There are project developers who are facing the decision
11 do they seek a CEC or not for a two-structure project.
12 And so that is where we are.

13 But I think the bottom line is these short
14 gen-tie cases are important. They're important to bring
15 renewable energy, solar, sometimes wind, although the
16 wind gen-ties are generally longer. Certainly these
17 short gen-tie cases for solar projects are important to
18 bring that energy to market.

19 But there must be and should be a better and
20 more expeditious way to deal with these cases, and I know
21 you're pursuing that on the legislative front, and this
22 docket at the Commission may provide another avenue for
23 reducing the number of these kinds of cases.

24 So let me tell you a little about this short
25 gen-tie case and why it's a good and important project,

1 the Eleven Mile Solar Center generation tie-line. It's
2 short. It's three-tenths of a mile. It's a 230kV
3 gen-tie line.

4 And the first segment of that three-tenths of a
5 mile line is being constructed underground. And so the
6 aboveground segment over which this Committee has
7 jurisdiction and that the application covers runs from a
8 riser structure where the underground segment comes
9 aboveground, connects to one monopole, which is the point
10 of change of ownership. I'll give you a little more
11 information on that. And then there's another monopole
12 structure within the perimeter of the Pinal Central
13 Substation.

14 The piece of this project is the project
15 substation, the step-up sub that brings a 34.5kV up to
16 the 230kV level and then transmits it over the gen-tie
17 line into the Pinal Central Substation. The footprint of
18 that project sub is approximately an acre and a half.

19 The purpose, the need, the reason for this
20 project is simple. It allows us to connect the Eleven
21 Mile Solar Center project into Pinal Central.

22 The route corridor and right-of-way is a single
23 route. There are certainly projects that I've presented
24 to this Committee and that you've heard in other cases
25 where there's route -- preferred routes, alternative

1 routes. This is a single route because it's a very short
2 line.

3 The corridor as you can see -- I don't have the
4 map, but you'll see it here in a bit -- is a large
5 irregular box that's a thousand feet wide north to south,
6 and then expands 15 to 1800 feet wide, again, east to
7 west to allow final design, to allow Salt River Project,
8 who's the managing agent for the Pinal Central
9 Substation, to give us final design. They haven't
10 finalized that. So it gives us the flexibility to
11 construct this line where it needs to be ultimately.

12 MEMBER GRINNELL: Mr. Derstine.

13 MR. DERSTINE: Yeah.

14 MEMBER GRINNELL: Mr. Chairman.

15 CHMN KATZ: Yes, sir.

16 MEMBER GRINNELL: Mr. Derstine, Mr. Acken was
17 acting as an -- representing his client as an intervenor.
18 Can you show me on this map that you have in front of us
19 exactly what he's referencing? Because, you know,
20 looking at this I'm trying to see where the two parties
21 interact.

22 MR. DERSTINE: Yeah. The two parties don't
23 interact anywhere near this gen-tie line, and that's the
24 focus of this CEC application, Member Grinnell.

25 The piece of land -- and I don't have the

1 appropriate map. Maybe Ms. Shanahan is able to just use
2 her laser pointer on the screen on the map on the right.
3 It's not the best map for that, but at least to kind of
4 generally show that the -- where the parcel is that
5 SunDog is seeking an easement to cross.

6 So it's, again, nowhere near this property
7 that's affected by our gen-tie where we're siting this
8 gen-tie line.

9 MEMBER GRINNELL: Then why is he intervening,
10 then, in the first place? That's what I was not quite
11 sure of.

12 MR. DERSTINE: Well, he's intervening in this
13 case because it has been done in prior cases where --

14 CHMN KATZ: If I might --

15 MR. DERSTINE: Yeah.

16 CHMN KATZ: He's intervening because we once had
17 an existing solar facility that wanted \$650 million for
18 an easement that was worth maybe 50,000 over a 10-year
19 period. And we then entered a condition compelling that
20 obstinate project owner to confer in good faith. They
21 couldn't present any reason how it would interfere with
22 their project.

23 But it isn't on the site of what we are dealing
24 with. He just wanted to make sure that we added a
25 condition requiring that SunDog negotiate in good faith

1 with Eleven Mile Solar to acquire an easement to allow
2 their gen-tie line to cross the solar field, not the
3 current gen-tie or substation.

4 MS. NOE: If I may, Mr. Chairman.

5 CHMN KATZ: What?

6 MS. NOE: Oh, excuse me.

7 CHMN KATZ: Go ahead.

8 MS. NOE: This is Sarah Noe. I'm co-counsel
9 with Bert Acken, and I'm monitoring this case. I'd be
10 happy to get Bert back on if we have more questions for
11 him on this, but I think that Mr. Chairman summed it up
12 completely correctly.

13 The gen-tie line is further south than the small
14 easement that SunDog Solar Energy Center is seeking, and
15 it won't interfere with just this portion of the gen-tie
16 line, but there is precedent for parties to negotiate in
17 good faith on this easement, and we just wanted to
18 intervene and preserve our rights.

19 MEMBER GRINNELL: Having said that, since we're
20 only discussing a very short amount of area that
21 theoretically Mr. Acken's client has no standing in --
22 physical standing in this, I don't understand how we can
23 extend the boundaries of an inclusion.

24 And I'm just -- I'm not trying to be hard. I'm
25 just trying to get it clear for myself why this is

1 actually important for us. That's a decision that has to
2 be negotiated between the two companies. And I just --
3 I'm trying to keep us out of as much of nickel dime stuff
4 because we have enough to do here.

5 And I just want to make sure that we're focusing
6 on the CEC as presented and the three-tenths of mile.
7 And I'm not looking to get any peripheral discussions
8 about what can and can't be done regardless of what's
9 been done in the past.

10 CHMN KATZ: Again --

11 MS. NOE: And your point is -- oh, I'm sorry,
12 Mr. Chairman.

13 CHMN KATZ: I understand where you're coming
14 from, but essentially what we're really doing is
15 compelling as a condition that we would be imposing upon
16 Eleven Mile Solar to negotiate in good faith with SunDog.

17 So we are -- the person that wants to put in
18 this gen-tie would be required to negotiate in good
19 faith. And when we had a \$650 million demand from an
20 existing operator of a new one to go to the outer edge of
21 their property to run a gen-tie line and an easement that
22 was worth maybe 50 or 60 grand that's why we're doing it.

23 But we're really compelling this operator Eleven
24 Mile to negotiate in good faith, and Mr. Acken's client
25 agrees to do the same.

1 So I don't think we're going to have to hear any
2 testimony about this. It'll just been proposed by a way
3 of stipulation that we add that one condition to the CEC.

4 MEMBER GRINNELL: And I guess that's where my
5 concern is is that we're expanding our, I guess,
6 recommendation outside the scope of this specific CEC.

7 CHMN KATZ: I understand.

8 MEMBER GRINNELL: Thank you, sir.

9 MR. DERSTINE: And I would just simply say for
10 the record I hear you, Member Grinnell. And if Mr. Acken
11 and I were here fighting over whether or not over the --
12 and had not reached an agreement on the stipulated
13 condition I would be making those arguments that you just
14 raised.

15 But in order to avoid, you know, kind of a
16 sideshow over this intervention, and given that my client
17 has always indicated to SunDog that they will negotiate
18 in good faith over an easement and right-of-way when the
19 time is right, it was more an issue of timing.

20 And so we arrived at the 60 days for this
21 stipulated condition. It avoided the fight over whether
22 this was the appropriate case to have a party intervene
23 and assert, you know, the kinds of argument that had been
24 raised in prior cases when those facts are not present
25 here.

1 That you don't have a party who's trying to
2 extort the other party over a price or refusing to, you
3 know, outright to negotiate over an easement or a
4 right-of-way. Those aren't the facts here. But we
5 agreed to this condition --

6 CHMN KATZ: Right. And --

7 MR. DERSTINE: -- using the modified time
8 period, and that's where we ended up.

9 CHMN KATZ: And just to correct the record, it
10 was the new applicant that was to the north of an
11 existing operator that wanted a huge amount of money to
12 allow the existing operator to cross their land.

13 And when we repetitively questioned the new
14 applicant as to why they wanted so much money and why
15 they were being so hard to deal with, they said, "Well,
16 it's going to interfere with our solar protect."

17 And I repeatedly asked, as did Members of our
18 Committee, exactly how is this thing that runs on the
19 outer perimeter of your solar plant going to in any way
20 interfere. They couldn't answer it.

21 So at that point in time we required the new
22 applicant to negotiate in good faith with the already
23 existing applicant who had been approved I believe to the
24 south of them.

25 I don't want to get into any further discussion.

1 The Committee can also choose not to add the condition if
2 they feel it appropriate. But this will essentially
3 avoid if we have a formal agreement any necessary
4 litigation outside of the scope of our proceedings. I
5 think that's enough said.

6 Is there anything you wanted to add to your
7 opening statement?

8 MR. DERSTINE: A few things on the opening
9 statement. Nothing further on the intervention by SunDog
10 or the stipulated condition.

11 I've talked about the corridor. You'll see it
12 on a future map in a regular box that allows us and gives
13 us the flexibility to ultimately finally do the final
14 engineering and site the line, and the requested
15 right-of-way will be 200 feet.

16 You've seen this in prior cases. We're
17 requesting two CECs for the aboveground segment, the
18 piece of the gen-tie line that's before you in the
19 application. The CEC-1 covers approximately 600 feet
20 from the riser structure where the underground portion of
21 the line comes aboveground and extends over to the first
22 tangent structure. That's the point of change in
23 ownership.

24 CEC-2, which is, again, just that short segment,
25 CEC-2 covers from the point of change of ownership to an

1 existing structure within the Pinal Central Substation.

2 Then over to bay 4 within Pinal Central.

3 And you understand that these breaking up a very
4 short line like this seems like we could be able to cover
5 it with a single CEC. The two CECs allows us to transfer
6 ownership of that second portion that needs to be
7 constructed, owned and operated by SRP that enters the
8 Pinal Central Substation.

9 CHMN KATZ: And am I correct in assuming that
10 the CECs will essentially be nearly identical, one with
11 the other, except the second one being subject to
12 assignment to the Salt River Project?

13 MR. DERSTINE: Yes. Except for the second CEC
14 will describe this -- the point from the point of change
15 in ownership over to Pinal Central, but otherwise all the
16 conditions will be the same.

17 CHMN KATZ: Right. And the legal descriptions
18 of each CEC will be slightly different?

19 MR. DERSTINE: Correct.

20 CHMN KATZ: Okay. Go ahead.

21 MR. DERSTINE: Yep. The environmental analysis,
22 the testimony you'll hear from Mr. Turner. There is a
23 full 1.5 mile study area for this short gen-tie line.
24 The testimony you'll hear will establish there's no
25 impact to land use, plant and animal life, scenic or

1 recreation areas or historical or cultural resources.

2 This project is environmentally compatible.

3 Despite the short gen-tie line, we did use a
4 full public outreach effort, virtual and in-person open
5 houses, newsletters, newspaper ads, social media were all
6 used to publicize this project, gain input and to
7 publicize the open houses that were held for the project.
8 And that allowed us to gain feedback and input from the
9 various jurisdictions, the agencies, landowners and
10 residents.

11 That public outreach resulted in support from a
12 couple different landowners and residents as well as the
13 City of Eloy. There is no opposition to the gen-tie
14 line.

15 You know, the reality is, is that certain
16 landowners farmers in Pinal County oppose solar
17 development in this area. Some support it; some oppose
18 it. I won't get into the details of that. I think where
19 we are today that, you know, I think, as Member Palmer
20 probably knows better than I, the bigger issue facing
21 farmers in this area are the two decades of dry winters
22 and the falling Colorado river and the allotment that's
23 given to farmers and forcing them to leave big portions
24 of their fields fallow.

25 We'll present the case to you with our two

1 witnesses, Ms. Shanahan on behalf of Eleven Mile Solar
2 Center and Orsted and then Mr. Tuner, our environmental
3 witness from AECOM.

4 For PowerPoint slides we have a flyover
5 simulation. We have prepared a tour for you. If you
6 find that you want to vote to take a tour, it would be a
7 quick two-stop tour, one on the east side and one on the
8 west side of Eleven Mile Road showing you the project sub
9 on one side and then Pinal Central on the other.

10 I don't think there's a lot to be gained from a
11 tour for this case. I think it's beneficial in other
12 cases. We do have a flyover simulation that I think will
13 give you a good understanding of what we propose to
14 build.

15 That's it. I want to thank you for your time.
16 Again, I get it. These short gen-tie cases fill up a lot
17 of your caseload, but they're important. They're
18 important for Orsted. I think they're important for
19 bringing clean energy into the State of Arizona and this
20 region. But we probably need to find and do need to find
21 a better way to process and hear these applications.

22 So good luck with your efforts at the
23 legislature, and I have a copy of the letter -- the
24 January 5 letter that requests input on the series
25 definition if you want more information on that.

1 And with that --

2 CHMN KATZ: Let me just ask you, is this the
3 same docket number that we are using for our special
4 meeting tomorrow afternoon, or is it a separate one?

5 MR. DERSTINE: I don't believe so.

6 I think you have a -- maybe Member Hamway knows.

7 MEMBER HAMWAY: I can look it up real fast.

8 CHMN KATZ: I think it may well be because we --

9 MEMBER HAMWAY: It's the same thing.

10 CHMN KATZ: Daniel Schwiebert, before he left,
11 had asked about it. We're probably not going to issue a
12 policy statement because I don't want to get accused --
13 the Committee getting accused of promulgating rules or
14 regulations without going through the proper hearing
15 process, and that's pretty complicated.

16 MR. DERSTINE: Okay.

17 CHMN KATZ: But there is a plan that we can
18 discuss -- I don't want it bring it up now -- at the
19 special meeting tomorrow.

20 MR. DERSTINE: Yep.

21 CHMN KATZ: And you, Mr. Acken, and the general
22 public are welcomed to participate in that tomorrow
23 afternoon.

24 MR. DERSTINE: All right.

25 CHMN KATZ: And off the record just briefly.

1 (Discussion held off the record.)

2 CHMN KATZ: Just identify your two witnesses, if
3 you would.

4 MR. DERSTINE: Yeah. Is that on the record?

5 CHMN KATZ: Back on the record.

6 MR. DERSTINE: As I indicated, we have Ms. Amy
7 Shanahan on behalf of Eleven Mile Solar Center, LLC, and
8 I have Mr. Mark Turner, and I think they're both ready
9 and -- to be sworn and placed under oath.

10 CHMN KATZ: Let me ask you. We can do it
11 separately for each of you, but is there a preference for
12 either an oath or an affirmation?

13 We can do either or both.

14 MS. SHANAHAN: An oath, please.

15 MR. TURNER: An oath is fine.

16 CHMN KATZ: All right. You don't need to stand,
17 but I would ask you to raise your right hands, if you
18 would.

19 (Amy Shanahan and Mark Turner were duly sworn,
20 en masse, by the Chairman.)

21 CHMN KATZ: Our two witnesses have taken the
22 oath, and you may proceed.

23 Are you going to be going between the two
24 witnesses or one at a time or a little of each?

25 MR. DERSTINE: Yeah. We've identified using

1 our -- utilizing two witnesses as a panel. So there may
2 be times where both are speaking to a particular topic.

3 But we'll progress with -- after I introduce
4 them and have them give you some of their background,
5 we'll start with Ms. Shanahan, and she's going to give
6 you an overview of the project.

7

8 AMY SHANAHAN AND MARK TURNER,
9 called as witnesses as a panel on behalf of Applicant,
10 having been previously sworn by the Chairman to speak the
11 truth and nothing but the truth, were examined and
12 testified as follows:

13

14 DIRECT EXAMINATION

15 BY MR. DERSTINE:

16 Q. But let's start with I don't know if you have
17 your handy file advancer ahead of you. We have the --
18 that's right. Yep.

19 Ms. Shanahan, we have your background slides on
20 the screen here in the hearing room, and I'm going to
21 have you first state your name and address for the
22 record.

23 A. (Ms. Shanahan) Sure. Good afternoon. My name
24 is Amy Shanahan. I represent Eleven Mile Solar Center,
25 LLC. Business address 401 North Michigan Avenue,

1 Suite 501, in Chicago, Illinois 60611.

2 Q. And we're looking at your slide, but why don't
3 you introduce yourself to the Committee. Tell us a
4 little bit about your education and your professional
5 experience.

6 A. (Ms. Shanahan) Sure. I attended the University
7 of California at Davis. I have a bachelor's of science
8 degree in civil engineering there and a professional
9 engineering license in civil engineering.

10 I have over 17 years of permitting and project
11 development experience throughout the U.S. managing
12 various types of projects, including heavy civil
13 construction and different types of energy projects,
14 including solar, energy storage, and fuel cells.

15 Q. Ms. Shanahan, you kind of stepped into the role
16 of, took over project management for the Eleven Mile
17 Solar Center project as well as the gen-tie project at
18 some point last year; correct?

19 A. (Ms. Shanahan) Yes, that's correct, last year.

20 Q. Okay. And in that capacity, you supervised the
21 preparation of the CEC application that's EMS Exhibit 1;
22 is that right?

23 A. (Ms. Shanahan) That's correct.

24 Q. Okay. Do you have any changes or corrections to
25 the CEC application marked as Exhibit 1?

1 A. (Ms. Shanahan) I do not.

2 Q. Do you want to take a minute here to give the
3 Committee a little background information on Orsted, the
4 owner of the Eleven Mile Solar Center project?

5 A. (Ms. Shanahan) Sure. Orsted is a global leader
6 in clean energy. We've been ranked the most stable
7 energy company in the world. We operate -- we develop,
8 construct and operate wind, solar, energy storage
9 projects globally.

10 This is a view of our footprint in North
11 America, which is a growing portfolio of approximately
12 5 gigawatts of renewable energy projects throughout the
13 U.S.

14 The project that we're here to present on is --
15 see if I can use this pointer right here -- the Eleven
16 Mile Solar solar project. And we're excited to talk a
17 little more about this project. It's a very important
18 project for Orsted.

19 Q. Mr. Turner, will you state your name and address
20 for the record.

21 A. (Mr. Turner) Sure. Mark Turner with AECOM. We
22 have an office in Phoenix at 7720 North 16th Street,
23 Suite 100, Phoenix, Arizona 85020.

24 Q. Mr. Turner, you've testified before this
25 Committee in some prior cases, but give us a little --

1 remind us of your education and your background, and your
2 experience.

3 A. (Mr. Turner) Sure. By training I'm a
4 biologist. I have a master's of science in biology.
5 I've been working as an environmental planner for over
6 30 years. I use my degree as environmental planner,
7 biologist and as a project manager.

8 I've managed more than 80 NEPA docket compliance
9 documents here in Arizona. And most recently I've been
10 subject matter expert for the cases that you see there:
11 122, 131, and 120.

12 Q. Mr. Turner, you also had an important role and
13 had a hand in preparation of the CEC application for this
14 case. Are there any corrections to the CEC application
15 that you need to make for the record?

16 A. (Mr. Turner) No, sir.

17 Q. And the information in the application to the
18 best of your knowledge is true and correct?

19 A. (Mr. Turner) Yes.

20 Q. All right. Ms. Shanahan, back to you.

21 Let's start us off with a little bit of a
22 discussion about what's at the end of the line of this
23 gen-tie line, the Eleven Mile Solar Center project, the
24 solar project itself.

25 A. (Ms. Shanahan) Sure. So a little bit of

1 background on the Eleven Mile Solar Center project in
2 relation to the gen-tie project that we're here to
3 discuss.

4 The maps on the right here should put into
5 context a little bit where the gen-tie project is located
6 in relation to the overall project. And so you can see
7 in the map there is a small red rectangle that delineates
8 the gen-tie project area in relation to the overall
9 project which encompasses portions of the Cities of
10 Coolidge and Eloy marked in green and blue respectively.

11 The Eleven Mile Solar project is a 300-megawatt
12 solar project. It will generate over 900,000-megawatt
13 hours of emergency annually. We expect to create
14 approximately 300 jobs during construction with
15 additional jobs during the ongoing operations and
16 maintenance period of the project, which is a 30-year
17 lifespan.

18 Q. I think you have -- yeah.

19 A. (Ms. Shanahan) Okay. This project will
20 generate tens of millions of tax revenue like locally
21 here, which will benefit directly the Cities of Coolidge,
22 Casa Grande, Eloy, and Pinal County.

23 In addition to providing tax benefits and jobs
24 locally, this project is very important for the local
25 grid. We expect it to increase reliability and safety of

1 the regional grid by way of adding an additional
2 transformer and other infrastructure that will support
3 the project.

4 Q. Thank you for that background on the solar
5 project.

6 Let's go back to the gen-tie line and talk about
7 the purpose and need, which is, as I indicated in my
8 opening, is pretty simple and straightforward.

9 A. (Ms. Shanahan) Yes. The purpose and need for
10 the gen-tie project is simply to connect the Eleven Mile
11 Solar Center project to the regional transmission grid by
12 way of Pinal Central Substation.

13 Q. All right. And let's move on and then kind of
14 go through the project description for the gen-tie line,
15 please.

16 A. (Ms. Shanahan) Okay. This map shows the
17 location of the gen-tie project. I'd like to point out a
18 few features on this map to sort of clarify some of the
19 important features.

20 The route corridor is outlined in pink here,
21 which encompasses the proposed project substation, which
22 is on the left there in purple. From the project --
23 proposed project substation, the transmission line will
24 then -- which is shown in blue, will then immediately go
25 underground and extend north to a proposed riser

1 structure. That proposed riser structure is shown by the
2 purple diamond there.

3 From the proposed riser structure, the
4 aboveground portion of the gen-tie begins, which is an
5 approximately 200-foot segment between the riser
6 structure and then east to the point of change of
7 ownership.

8 As mentioned previously, the point of change
9 ownership delineates ownership of the transmission line
10 between Orsted or Eleven Mile Solar Center and with SRP.

11 So, again, this small segment -- this small
12 segment is approximately 200 feet.

13 MEMBER HAMWAY: Ms. Shanahan, can I ask you a
14 question? Why are you undergrounding a portion of it?

15 I know it's not in our jurisdiction. I'm just
16 curious.

17 MS. SHANAHAN: Yeah. The -- it's primarily
18 being driven by technical reasons. This is an existing
19 transmission corridor that's fairly congested with
20 existing transmission lines. And in order to avoid
21 conflicts with some of the existing infrastructure there,
22 a portion of this line is best underground. So that's an
23 approximately 1100 feet of the total third of a mile
24 transmission line is underground.

25 I think it will come into focus a little bit

1 when we do the flyover simulation, and you can kind of
2 get a sense of what's existing there already.

3 MEMBER HAMWAY: Thank you.

4 MS. SHANAHAN: Sure.

5 So from the point of change of ownership between
6 Orsted and SRP, the transmission line shown in blue will
7 then continue aboveground into Pinal Central Substation.
8 That segment is approximately 600 feet to the fence line
9 and then additional 200 feet into the Pinal Central
10 Substation where the aboveground line will then terminate
11 into bay 4.

12 BY MR. DERSTINE:

13 Q. And, Ms. Shanahan, some of -- that's our general
14 understanding of the path for the gen-tie line. It's my
15 understanding, and tell me if I'm correct, that some of
16 the final engineering and details have yet to be worked
17 out and finalized with Salt River Project; is that true?

18 A. (Ms. Shanahan) Yes, that's correct.

19 Q. Okay.

20 MEMBER GRINNELL: Mr. Chairman.

21 CHMN KATZ: Yes, Mr. Grinnell.

22 MEMBER GRINNELL: Who owns -- and you may have
23 answered this just now, but does Salt River Project own
24 that substation, the Pinal Central Substation.

25 MR. DERSTINE: Member Grinnell, Pinal Central is

1 owned by several utilities, co-owned. It's managed by
2 Salt River Project so Salt River Project is the managing
3 agent for Pinal Central, and so it takes responsibility
4 for all of the negotiation of all the large generator
5 interconnection agreements and any sort of final
6 engineering and design for the lines that are coming into
7 Pinal Central.

8 As you probably know from prior cases, there are
9 a number of other projects that are looking to
10 interconnect here at the Pinal Central. So Salt River
11 Project is in charge of finalizing all those plans and
12 final designs.

13 MEMBER GRINNELL: And you have a tentative
14 agreement with them already --

15 MR. DERSTINE: Yes.

16 MEMBER GRINNELL: -- moving forward?

17 MR. DERSTINE: Yes. Orsted, Eleven Mile Solar
18 has been working through the LGIA process with SRP, but
19 it's a long process to finalize all the final agreements
20 and then, as I mentioned, get to a final design.

21 MEMBER GRINNELL: Thank you, sir.

22 MR. DERSTINE: Yes.

23 BY MR. DERSTINE:

24 Q. I think you have a couple bullets on your
25 project description slide, Slide 13, here in the hearing

1 room that points out that part of the project is the
2 substation that's being constructed on private land owned
3 by Orsted.

4 Do you want to spend a minute on that?

5 A. (Ms. Shanahan) Sure. So the project includes
6 the proposed substation which, again, is approximately an
7 acre and a half area to the west. And then also includes
8 the aboveground portions, which in total is about
9 800 feet of aboveground transmission line and associated
10 structures, so the riser structure, the point of change
11 of ownership, and potentially any additional tangent
12 structures that SRP will require in order to facilitate
13 termination into Pinal Central.

14 That's the scope of the project. We expect an
15 in-service date for the transmission line in 2024.

16 Q. All right. I think you've kind of walked us
17 through already the proposed route, but I think our next
18 section we're going to take you a little more detail on
19 the route and the corridor in describing the corridor
20 area, which, again, is kind of that -- I don't know if
21 I'm -- my crayon box is accurate, but I call it pink.
22 Maybe there's a better color that describes the box that
23 defines our corridor on the map on the right.

24 A. (Ms. Shanahan) Right. So the -- again, the
25 total length of the transmission line is approximately a

1 third of a mile from our project substation into Pinal
2 Central. So that's the route.

3 The route corridor delineated in pink here is
4 approximately a thousand feet north to south and then
5 varied between 1500 to 1800 feet wide east to wide.

6 And so the purpose of delineating this corridor
7 versus the route is to provide adequate space for any
8 minor adjustments needed for the transmission line itself
9 and then the associated structures.

10 These are shown as approximate locations, which
11 will then be refined with SRP.

12 Q. Okay.

13 MEMBER PALMER: Mr. Chairman.

14 CHMN KATZ: Yes, Mr. Palmer.

15 MEMBER PALMER: Just a quick question. So this
16 corridor, which was described as a major utility
17 corridor, is -- who is that owned by, and is the
18 applicant going to have an easement, a right-of-way in
19 that corridor?

20 MR. DERSTINE: Yeah, Member Palmer, I'll take a
21 stab at it, and Ms. Shanahan will fix anything that I get
22 wrong.

23 But that apron surrounding Pinal Central, that
24 surrounding area, is controlled by Tucson Electric Power,
25 Salt River Project. There may be others that own the

1 land that constitutes the larger footprint for Pinal
2 Central, and so Orsted has to negotiate easements
3 certainly with TEP and SRP to get through that -- our
4 corridor area, the pink box, for the -- and then cross
5 the perimeter fence into Pinal Central.

6 So we will -- they are underway and in the
7 process of negotiating and finalizing those easements
8 with t.

9 The landowners that own the land that surround
10 Pinal Central.

11 MEMBER PALMER: Thank you.

12 BY MR. DERSTINE:

13 Q. Did I have that right, Ms. Shanahan?

14 A. (Ms. Shanahan) That was perfect. Yes, that was
15 an accurate description of, yeah, what easements will be
16 needed.

17 Q. All right. So we talked about the corridor.

18 Let's -- I think you have a slide here just that
19 goes into a little more detail on the below ground
20 portion, and then, you know, we -- these projects that
21 have aboveground and -- aboveground and below ground
22 segments, the Committee understands how far their
23 jurisdiction goes and what the application covers, but I
24 think it's always important to give them an understanding
25 of what's being constructed underground, and you've

1 already explained why it's being constructed, but give
2 them a little background on the underground segment.

3 A. (Ms. Shanahan) Right. So the aboveground
4 portion of the line probably doesn't make sense out of
5 context with the below ground portion. And so, as
6 mentioned, the majority of the gen-tie is actually
7 underground. It's approximately 1100 feet.

8 It's shown by the blue and black hatched line,
9 which is right -- starts right here from our proposed
10 project substation and then travels along in an easterly
11 and then in a northerly direction to the proposed riser
12 structure, which will then facilitate transitioning the
13 line from below ground to aboveground.

14 Q. And, as I understand it, Ms. Shanahan, so the
15 underground portion starts underground at the project
16 substation and then continues with some sort of a
17 standard duct bank construction, but then will utilize
18 and maybe for the full length of the underground portion
19 we use a jack and bore construction to go below Eleven
20 Mile Road there, and then come up on the other side of
21 the road, and that's where the riser structure will be
22 placed, and we bring the line aboveground.

23 Is that generally correct?

24 A. (Ms. Shanahan) That's generally correct.

25 Q. Okay.

1 MEMBER LITTLE: Mr. Chairman.

2 CHMN KATZ: Yes, Member Little.

3 MEMBER LITTLE: I have a question about the
4 logistics. You answered some of my questions, but if
5 that area -- is that constrained that you need to go
6 underground in order to avoid any interference with the
7 existing transmission lines that are there, is --
8 logistically is that going to be an issue trying to get
9 the underground construction done?

10 MS. SHANAHAN: No, no. We don't believe
11 logistically that it's problematic. It's a little bit
12 more expensive way to build but necessary in this case
13 just due to the need to provide proper clearances and
14 things like that from the existing infrastructure.

15 MEMBER LITTLE: I understand that. I'm just
16 curious. You know, you're going to be digging big holes
17 around all these transmission lines that are out there.

18 MR. DERSTINE: Yeah. And, I think Member
19 Little, that's one of the reasons for that large -- the
20 corridor area because they're having to not only site the
21 above and final -- do the final engineering design for
22 the aboveground segments but deciding where it's
23 appropriate to -- for the underground segment to do that
24 construction to do that work with the heavy equipment
25 that's needed to do that work under existing transmission

1 lines.

2 So selecting the right spot mid span or, you
3 know, where the engineers decide is the best place to do
4 that work is a critical part of the underground
5 construction piece.

6 So you've identified certainly a technical and
7 construction issue that Orsted has to work through and
8 will work through with SRP to ensure that they're not
9 interfering or creating any safety or reliability issues
10 with all those existing transmission lines.

11 CHMN KATZ: I just have a --

12 MEMBER LITTLE: And you don't anticipate any
13 issues coordinating with the owners of the transmission
14 lines, existing lines?

15 MS. SHANAHAN: No, we don't expect any issues.
16 We've been coordinating with other entities, including
17 SRP and others who own lines in this area, for some time
18 in an effort to ensure, you know, technical and safety
19 considerations are being addressed. And so this design,
20 you know, contemplates those considerations.

21 MEMBER LITTLE: Thank you.

22 CHMN KATZ: I'm a little confused. On the left
23 screen is EMS Exhibit 4, page 16, and it says below
24 ground portion, and it says, "Approximately half of the
25 three-tenth long gen-tie line will be below ground. Does

1 that mean that that one portion aboveground is only a
2 tenth of a mile?

3 MR. DERSTINE: We were working out the feet,
4 Mr. Chairman, and I think you're right it's very short.
5 Let me see what we have, what I scribbled down.

6 It looks like the aboveground segment from the
7 riser structure to the point of change of ownership is
8 what I have in my notes is around 200 feet. So, again,
9 that's a very short segment.

10 And then from the point of change of ownership
11 into the perimeter of Pinal Central is 600 feet. So it's
12 about -- and then another 200 feet once it's -- well,
13 yeah, another 200 feet into the bay, so I think I've got
14 maybe it's a thousand feet.

15 MS. SHANAHAN: That's correct.

16 CHMN KATZ: So how long is the line underground
17 either in feet or in tenths of a mile and the
18 aboveground? I understand that there's two CECs, but I'm
19 trying to understand the length of each. Because the way
20 that that reads to me -- I was originally of the
21 impression that the three-tenths of a mile was the length
22 of the aboveground.

23 MR. DERSTINE: No. That's -- the three-tenths
24 of a mile is the total length from the project substation
25 to our termination point at bay 4 Pinal Central.

1 CHMN KATZ: Got it.

2 MR. DERSTINE: So, you know, my math -- math is
3 not my strong suit, but I think roughly, as it indicates
4 on the slide, the below ground portion is around 1100
5 feet, and the aboveground portion is a little bit shorter
6 than that, but somewhere around 900 to a thousand feet
7 for the aboveground segment.

8 CHMN KATZ: Okay.

9 MEMBER HAMWAY: Mr. Chairman, I have a quick
10 question.

11 Is all the land inside the pink box under site
12 control?

13 MS. SHANAHAN: Well, okay, so the proposed
14 substation parcel, which is outlined right here, is under
15 Orsted site control. Now, that is under private
16 ownership, whereas this corridor right here that we
17 mentioned that's this existing transmission corridor is
18 then owned by TEP and SRP.

19 And so to answer your question, a portion of it
20 is under private site control, and the other portion will
21 require an easement for the line with SRP.

22 MEMBER HAMWAY: Thank you.

23 BY MR. DERSTINE:

24 Q. Anything you wanted to add on -- I think we
25 covered the below ground segment of the line. Why don't

1 we touch on -- move on to your next section here, which
2 is the CECs. We've touched on and talked about the fact
3 that this -- the short aboveground segment of this line
4 will be broken up into two CECs.

5 And CEC-1 is the CEC that Orsted, Eleven Mile
6 Solar Center will retain ownership of. And you have
7 described here on Slide 18 the length and what comprises
8 the aboveground segment covered by CEC-1.

9 So if you'd want to summarize that, it's
10 generally from the riser structure on and take us through
11 that.

12 A. (Ms. Shanahan) So the CEC-1 which, again, is
13 the Eleven Mile Solar Center CEC, essentially encompasses
14 the aboveground portion of the line from the proposed
15 riser structure right here.

16 And then east of that, which is a 200-foot
17 aboveground 230kV line between the proposed riser
18 structure and the point of change of ownership.

19 Q. Let me stop you. The point of change of
20 ownership is a new steel monopole structure; correct?

21 A. (Ms. Shanahan) That's correct.

22 CHMN KATZ: So from that red diamond to the
23 white square, the proposed riser structure to the point
24 of change of ownership that's approximately 200 feet in
25 length.

1 MS. SHANAHAN: That's correct.

2 CHMN KATZ: Okay.

3 MS. SHANAHAN: And so that 200-foot section will
4 be included under CEC-1.

5 The exact location of the point of change of
6 ownership may be adjusted a bit at the discretion of SRP,
7 but that's approximately where it will be located.

8 And then in addition, under CEC-1, the project
9 substation, which is located on approximately an acre and
10 a half of privately held land will also be included under
11 CEC-1, which will be owned and operated by Orsted, Eleven
12 Mile Solar.

13 CHMN KATZ: And how long is that section from
14 the white point of change to the hookup in the
15 substation?

16 MS. SHANAHAN: That section to the east of
17 CEC -- or of the point of change of ownership will be
18 under CEC-2, which is the portion of the gen-tie that
19 would be transferred to SRP. And so to answer your
20 question, the length of that line is the 900 to a
21 thousand feet that Mr. Derstine mentioned a few moments
22 ago.

23 So it will be 600 feet from the point of change
24 of ownership to the fence to -- of Pinal Central
25 Substation and then an additional several hundred feet,

1 probably 2- to 300 feet, somewhere in that range, where
2 it will terminate into bay 4 of Pinal Central.

3 CHMN KATZ: And that could vary slightly
4 depending on what is ultimately agreed to between SRP and
5 the applicant?

6 MS. SHANAHAN: That's correct.

7 CHMN KATZ: Thank you.

8 MS. SHANAHAN: And so, again, ultimately that
9 CEC-2 will be transferred and controlled by SRP.

10 BY MR. DERSTINE:

11 Q. We've been looking at this map with the pink box
12 and trying to visualize what all that looks like out
13 there.

14 Mr. Turner, can you help us maybe with the --
15 and this is a good time for the flyover simulation to
16 show us what things kind of look like on the ground or at
17 least give us a better understanding?

18 A. (Mr. Turner) Okay. If he could start the
19 video. The first video -- what we're going to do is show
20 two different videos. One is going to show existing
21 conditions. That's what you see right here.

22 And the second video -- both are just about
23 45 seconds. The second one then will show the proposed
24 features that we've been talking about.

25 I'd like to orient you a little bit to where we

1 are. The road outside the hotel is Florence Avenue is
2 also State Route 287. That road is east-west and is
3 going on this edge of the map. Eleven Mile Solar --
4 excuse me, Eleven Mile Corner Road is a north-to-south,
5 and it is moving where I'm showing you here.

6 There is an existing canal that is coming in
7 Casa Grande canal. You can see the nearest residents are
8 on the right side of the map just on the far side, the
9 south side of the canal.

10 I also would like to point out the Pinal
11 fairgrounds. You can see the dirt oval track, the
12 Arizona Central racetrack I believe is what that is
13 called. But it's part of a larger complex with parking
14 lots and other buildings that's the fairgrounds.

15 And also it is the county pound right here
16 across. So if we can go ahead and start the video. It
17 moves kind of slow. I'll just --

18 Q. Can I -- before you start the video, Mr. Turner,
19 can -- so we were -- Member Little, had the question
20 about, you know, the congestion of existing structures
21 that will have to -- the underground segment we will need
22 to pass under.

23 Can you kind of identify on your -- using the
24 simulation there?

25 A. (Mr. Turner) Yes, we can. We do have

1 aboveground structures. We've not corrected with wire
2 above. But we have an existing large facility coming on
3 the north side of Pinal Central. It's going east to
4 west. There are two lines coming from the south along
5 Eleven Mile Corner Road that also tie into Pinal Central.
6 And we'll get a closer view of those as we come in.

7 I do want to point out there are -- actually,
8 you're looking at three different substations. The Pinal
9 Central is the largest one you see. Just to the west of
10 that is ED2, which is a smaller one right around Eleven
11 Mile Corner Road across from the fairgrounds. And then
12 on the far side of Pinal Central is another substation
13 from a solar project that comes in. The solar station is
14 right where you see the cursor.

15 CHMN KATZ: Is the Eleven Mile Solar station
16 depicted on this map?

17 MR. TURNER: No, sir. This is existing
18 conditions.

19 CHMN KATZ: Okay.

20 MR. TURNER: And the next one will -- once we go
21 through this slide of the presentation, then we'll go to
22 the other one.

23 I think I pointed out all the features we would
24 like. I suggest we just roll through this and go ahead
25 and run the presentation.

1 (Flyover Video Played.)

2 MR. TURNER: Again, existing agricultural
3 fields. You can see how flat this area is. That will
4 come up in my presentation. Before, when we talked about
5 visual, it's very flat in this area.

6 We've talked about the parcels. You can see
7 they are used as detention basins here where the corridor
8 will go. And we're coming in this way because you'll see
9 in the next one the substation will be right at this
10 location.

11 Again, we're going through you can see just a
12 spaghetti pile of aboveground features. Hence, why we
13 need to go underground.

14 And then we're now cruising into the Pinal
15 Central existing substation.

16 And right here is sort of a good view. It's
17 where we stop this first one. I do want to point out --
18 yeah, we're going to show you existing features, but
19 there is an existing riser already here answering one of
20 the member's questions about can this be feasible to do
21 underground around other facilities. It is already an
22 acceptable practice.

23 Unless there's conditions on the existing
24 conditions, I'd like to switch to the other video, which
25 will show the proposed project components.

1 In just a second we'll switch that video.

2 While we're waiting for that, we did show there
3 is a lot of existing facilities already up there. There
4 are other planned facilities coming in as well. If you
5 could stop the video one second.

6 I do want to point out that APS has put signs on
7 the ground for a 69kV line that is coming right through
8 here as well. And coming in from the east. I don't know
9 exactly where is the SunZia project that ties in down
10 here as well. So there is existing congestion and will
11 be a lot more in the near future.

12 Again, this is the same view. I'll just point
13 out the same features. We have the main road corridor
14 north to south is Eleven Mile Corner Road. The
15 fairgrounds I pointed out are just to the east of Eleven
16 Mile Corner Road. And, again, you can see the canal as
17 it cuts along the south side of the area.

18 Before we start the motion, I'd point out here
19 is the proposed substation on 1.5 acres. As we cruise
20 in -- you can go ahead and start the video. As we cruise
21 in, the blue line you see initially coming out of the
22 substation is the below ground portion. It goes under
23 Eleven Mile Corner Road, jack and bore, and comes up --
24 well, we'll get to the riser.

25 If you could pause right now, please. Thank

1 you. I'll point out a few structures. Again, we tried
2 to keep it blue showing the new elements. This line
3 represents the underground portion. I pointed out an
4 existing riser. That's the existing riser.

5 And in blue just to the left of it, which would
6 be just to the northeast or northwest is the proposed
7 riser. We have strung this so you can see the lines
8 going over to the point of change of ownership on the
9 next pole over. And go ahead and start the video, and
10 we'll show where this goes on in to the Pinal Central
11 Substation, and in particular into bay 4.

12 Again, the blue structure that you see right
13 here is an existing structure. And it will stop here in
14 a second so we can see all three. Oh, you can go ahead
15 and do it. Thank you.

16 So of this view we have two new structures.
17 This new riser and this pole, point of change of
18 ownership. The blue pole inside the substation is an
19 existing pole single circuit that we will use before
20 dropping into bay 4. And, again, SRP is directing that
21 portion of the project design.

22 CHMN KATZ: Can you point out the line that runs
23 from the point of change of ownership into the
24 substation?

25 MR. TURNER: The point of change of ownership is

1 this pole.

2 CHMN KATZ: Right.

3 MR. TURNER: And it's going to this pole here.

4 CHMN KATZ: Yeah.

5 MR. TURNER: Roughly 600 feet. It's about
6 200 feet to the fence line and then another 400 feet to
7 the existing pole. And that would be the CEC-2 that you
8 were, I believe, wanting to describe, which would include
9 also into the bay.

10 So that was the presentation on the simulation.
11 I can do it again or I can back up 10 seconds, so to
12 speak, and look at a different location here.

13 If there are any questions, I'm happy to
14 entertain them.

15 CHMN KATZ: Any questions?

16 And I do see that Member Gentles has joined us.
17 So welcome.

18 BY MR. DERSTINE: The existing dead -- what's marked as
19 the existing dead end drop pole, that's an existing
20 tangent structure within the perimeter of Pinal Central
21 Substation that has an existing 500kV line, and it's my
22 understanding, Mr. Turner or Ms. Shanahan, that our new
23 230 line will then go on the opposite side of that
24 structure before it drops into that H frame down into
25 bay 4. Do I have that right?

1 A. (Ms. Shanahan) That's right. Correct.

2 Q. All right. Well, hopefully that gives the
3 Committee a little better understanding of what things
4 look like in real life. Sometimes these maps don't give
5 us a good understanding of what we're proposing to build
6 and construct.

7 So, Ms. Shanahan, let's take it back to you to
8 kind of walk through these and identify these structures
9 that are shown in the application, but we wanted to
10 highlight them here for purposes of our hearing.

11 A. (Ms. Shanahan) Okay. So let's talk a little
12 bit more in detail on the proposed structures included
13 within both CECs.

14 The first would be the riser structure that,
15 again, would transition the transmission line from
16 underground to aboveground. This would be a steel
17 monopole in structure that is very similar to what's
18 existing in this corridor already.

19 The map on the right here is a drawing, you
20 know, showing some little more detail on what that steel
21 monopole will look like. It would be approximately in
22 the 90-foot range, could be as high as 160 feet to just
23 maintain clearances with the existing infrastructure.

24 The point of change of ownership structure would
25 be similar steel monopole structure similar to what's

1 existing and also similar in height, approximately in the
2 90-foot range. It could be higher if needed, and that's
3 based on the discretion of SRP.

4 So those are the two additional structures that
5 are being proposed. They would have a dulled gray
6 appearance to just reduce visibility.

7 In addition to these two structures, the
8 transmission line itself, as we mentioned, would vary in
9 length with that 200-foot section under CEC-1 from the
10 riser to the point of change of ownership, and then
11 there'd be a 600-foot span that would connect the
12 aboveground transmission line from the point of change of
13 ownership to the existing pole that we mentioned a few
14 moments ago.

15 Q. And those structures and diagrams for them are
16 found in Exhibit G to the CEC application, which is EMS
17 Exhibit 1; correct?

18 A. (Ms. Shanahan) Correct.

19 Q. All right. What about the substation?

20 A. (Ms. Shanahan) The footprint of the substation
21 is approximately an acre and a half in size. We've
22 provided this detail in the application that you see to
23 the right here. So this would be a step-up substation, a
24 34.5kV. It would include a power transformer, breakers,
25 switches and a control house.

1 So the substation would be surrounded by fencing
2 on that and, again, located on a privately owned parcel
3 to the west of Pinal Central.

4 Q. And information -- additional information on the
5 project substation is also found in Exhibit G to the
6 application; correct?

7 A. (Ms. Shanahan) Correct.

8 Q. All right. Let's talk about the right-of-way
9 corridor and the cost, the anticipated costs for the
10 project.

11 A. (Ms. Shanahan) Okay. We've separated out the
12 costs between CEC-1 and CEC-2. So, first, the
13 right-of-way, as we mentioned earlier, would be
14 approximately 100 feet in either direction of the
15 transmission line, and so 200 feet in total.

16 The estimated cost for CEC-1, which is the
17 Eleven Mile Solar portion of the project, which, again,
18 includes the project substation and that 200-foot segment
19 of aboveground line along with the proposed riser
20 structure the estimated cost is approximately \$15
21 million.

22 SRP estimates the cost for C -- the scope
23 included under CEC-2, which is the aboveground portion of
24 the line to -- from the east to the point of change of
25 ownership and the additional equipment, and the other

1 structures needed to terminate into Pinal Central would
2 be approximately \$16,700,000.

3 Q. In my opening I indicated that the right-of-way
4 was 200 feet, and you've clarified that it's what we have
5 here is a 100-foot right-of-way, but that's 100 feet on
6 either side of the conductor, so it's really a 200-foot
7 right-of-way in total; correct?

8 A. (Ms. Shanahan) That's correct.

9 Q. Okay. And despite the short length of the
10 aboveground portion of the gen-tie line, these projects
11 don't come cheap?

12 A. (Ms. Shanahan) That's right. They do not.

13 Q. Okay. Well, we're going to turn the laser
14 pointer and the mic over to Mr. Turner and to take us
15 throughout environmental analysis.

16 Mr. Turner, AECOM did a fair amount of work in
17 terms of the environmental analysis for the Eleven Mile
18 Solar Center project and then did -- also did the
19 environmental study work needed to support the CEC
20 application and the various -- the analysis required
21 under the various exhibits to the application; is that
22 right?

23 A. (Mr. Turner) That's correct.

24 Q. Okay. Start us off. And I see you have here on
25 your slide the various environmental studies that are

1 contained in the exhibits to the application.

2 A. (Mr. Turner) That's correct.

3 AECOM was hired to look at the solar facility as
4 well as then more specifically the CEC. We've developed
5 land use -- the location and land use exhibit, Exhibit A;
6 the Exhibit B, which is the environmental studies related
7 studies; the Exhibit C which is the areas of biological
8 wealth; as well as D, which is bilateral resources; and
9 then Exhibit E, which is three different categories:
10 Scenic areas, historic sites and structures as well as
11 archaeological sites.

12 We also looked at recreational resources. We've
13 talked about the concept drawings. We also coordinated
14 for existing plans and as well as Exhibit I, which is the
15 anticipated noise emission levels and potential
16 interference with communication signals.

17 And then Exhibit J, which are special factors
18 Amy and I will both talk about. We included our public
19 outreach in that section.

20 Q. All right. With that overview and kind of
21 roadmap of where we're going, why don't you start us off
22 with discussion and summary of the land use.

23 A. (Mr. Turner) Thank you.

24 MEMBER GRINNELL: Mr. Chair.

25 CHMN KATZ: Yes, sir.

1 MEMBER GRINNELL: I've got to take a phone call.

2 CHMN KATZ: Well, we were going to -- if you've
3 got to do that now, that's fine. We were going to break
4 in about five minutes anyhow.

5 MR. DERSTINE: And if you'd like to break now,
6 we're happy to do that.

7 CHMN KATZ: We can do that so you can take your
8 phone call, but we'll resume between 2:45 and 2:50.

9 MR. DERSTINE: All right.

10 CHMN KATZ: So take whatever break you need, and
11 we'll be back in about 10 to 15 minutes.

12 (Recess from 2:32 p.m. to 2:50 p.m.)

13 CHMN KATZ: We're going to get started.

14 Mr. Derstine, you may continue with your
15 questioning.

16 MR. DERSTINE: I'll wait for Mr. Turner to take
17 his seat.

18 And as a housekeeping matter, Mr. Chairman, I
19 think I indicated at the outset that we didn't think that
20 a route tour was needed, but I don't think the Committee
21 ever formally considered or decided whether or not they
22 wanted to take a route tour.

23 CHMN KATZ: I'll say -- I'll be kind of a smart
24 aleck. We're going to take the subway if we have a tour
25 for the underground portion and an airplane for the

1 aboveground portion.

2 MEMBER HAMWAY: I'm in.

3 CHMN KATZ: But I'm assuming --

4 MEMBER PALMER: You've got my interest,
5 Mr. Chairman.

6 CHMN KATZ: Back on the record.

7 If that's on the record, that's fine. We were
8 just having -- I had to have at least a moment of frolic
9 and fun.

10 But, anyhow, it's such a short line it appears
11 that there are no close-by residential operations. There
12 are some agriculture and a lot of other solar and utility
13 facilities in the neighborhood.

14 I'd entertain a motion to either take a tour,
15 which we would do at nine o'clock or 9:30 tomorrow
16 morning or to not take a tour.

17 So do I have a motion one way or another from a
18 member?

19 MEMBER HAMWAY: Mr. Chairman, I move we do not
20 take a tour.

21 MEMBER PALMER: I'll second that.

22 CHMN KATZ: That's been seconded by Mr. Palmer.

23 All in favor of not doing a tour tomorrow please
24 say "aye."

25 (A chorus of "ayes.")

1 CHMN KATZ: Anyone opposed?

2 (No response.)

3 CHMN KATZ: We won't be doing a tour tomorrow,
4 and we can then continue with our evidentiary
5 presentation.

6 MR. DERSTINE: All right. Thank you,
7 Mr. Chairman.

8 BY MR. DERSTINE:

9 Q. So, Mr. Turner, before we took our afternoon
10 break, you were going to take the Committee through your
11 analysis of existing and planned land use and that's
12 within the study area. So please proceed.

13 A. (Mr. Turner) All right. Thank you. An
14 important analysis component associated with CEC is to
15 discuss the project in light of existing and future use
16 of the area. I would like to point out a few things on
17 the map.

18 We talked about how this project is in Coolidge,
19 which is shown in purple on this map. Green is Eloy.
20 And Casa Grande is the browner color that you see, which
21 is not part of your project area, but I just wanted to
22 point out where we are in the world.

23 CHMN KATZ: So, again, it's Coolidge and where
24 else?

25 MR. TURNER: Coolidge is for the gen-tie line.

1 CHMN KATZ: Okay.

2 MR. TURNER: But Eloy -- part of Eloy is the
3 solar substation.

4 CHMN KATZ: Right.

5 MR. TURNER: Solar facility.

6 So let's talk about existing land use. First
7 off, I do want to point out we have mentioned it, but
8 it's a 1.5 mile analysis area around the gen-tie
9 corridor.

10 As I mentioned, the City of Coolidge is in play
11 here. They have a 2025 general plan. And the Pinal
12 County comprehensive plan will be in play for the land
13 uses.

14 It is a mix of agricultural, residential, some
15 areas with a little bit of native desert component and
16 then also industrial. As we've mentioned, the nearest
17 residents are below the canal and roughly about a
18 thousand 800 to the riser structure.

19 From a future land use, Pinal County future land
20 uses show this as low density residential. They do have
21 a green energy production category, which is shown as
22 brown on this map, and it just clips our study analysis
23 area on the western side.

24 And then general public facilities are coming up
25 as pink on this map, and that includes the fairground and

1 the existing substation, and it looks like it includes
2 one of the solar facilities that's already on the ground.

3 Pinal County does allow residentially zoned to
4 be used for green energy production.

5 One component of the CECs is getting an
6 understanding not only of the existing and future land
7 uses but also reaching out to talk about existing plans.

8 And on August 15, 2022, we sent letters to 42
9 jurisdictions to provide information about our project
10 and requesting additional information for any future
11 plans or known plans in the project vicinity. We did not
12 receive any responses back.

13 The gen-tie line and substation are adjacent to
14 the existing facilities, as we've talked about. And
15 we've been in strong coordination with the substation
16 owners as Amy has testified today. There is no conflict
17 with other transmission line projects. We are going
18 below ground to avoid entanglement, so to speak, with all
19 the aboveground features.

20 And this is on the map just a copy of the letter
21 that was sent out. It is part of your binder.

22 From a land use conclusion standpoint, the City
23 of Coolidge has approved with a conditional use permit
24 for the solar project. The Pinal Central Substation will
25 facilitate future expansions to the local electricity

1 grid and we talked about regionally. So this is a good
2 location to be connecting into the grid.

3 And the project is consistent with land use
4 plans for the area and would not be in any conflict with
5 existing or future land uses.

6 BY MR. DERSTINE:

7 Q. Okay. It looks like your next section here is
8 reevaluation resources, which is, I guess, a form of land
9 use. So you're going to identify the recreational
10 facilities and such that are surrounding or within our
11 study area and then whether or not this project is going
12 to have any impact on those resources; correct?

13 A. (Mr. Turner) That's correct.

14 And so we did look into various land use plans.
15 There are a couple future trail systems that may be
16 planned. Again, I'm going to point on the map. We've
17 mentioned State Route 287 is the large east-to-west
18 corridor just north of our project area.

19 There is a planned trail near the school that is
20 up about a half mile further north. And then there's
21 also a potential, again, sort of a line on a map for a
22 trail along one of the canals. So those are the only two
23 known recreational resources besides the fairgrounds
24 themselves.

25 The canal service roads, as I mentioned, when

1 I've been out there, they have been used as ad hoc
2 recreational trails for people who live in the area.

3 We are not proposing to use our corridor as a
4 part of a trail system. We're not proposing it to be
5 used. As you can see, it's amongst heavily industrial
6 area. There's no need for people to be out and about
7 walking in that area.

8 Looking at my notes here.

9 Due to the distance that we feel for the gen-tie
10 study area to these potentially future trail systems and
11 the fact that we're not impacting any of the capabilities
12 of the fairgrounds, this project would have no impacts on
13 existing or future recreational opportunities either.

14 Q. Okay. The next area of analysis is biological
15 wealth and biological resources.

16 What's the difference between the two?

17 A. (Mr. Turner) Sure. The biological wealth is
18 more focused on special status species, endangered
19 species protected under the Endangered Species Act,
20 Migratory Bird Treaty Act, Bald and Golden Eagle Act.
21 And if we were on federal lands, they -- the federal
22 agencies have their own sensitive species.

23 Whereas -- so that's Exhibit C. Whereas the
24 biological resources Exhibit D is more of the general
25 wildlife that we may see outside in the courtyard, and

1 we'll talk about those general species as well.

2 Q. Okay.

3 A. (Mr. Turner) So let's talk a little bit about
4 more of the censored species. As I mentioned, three main
5 regulations that our document focused on is the
6 Endangered Species Act, Migratory Bird Treaty Act and the
7 Arizona Native Plant Law.

8 In addition, this area -- well, from an
9 endangered species standpoint, there were four species
10 listed, two are bird species. The Yuma Clapperail, also
11 called Ridgeway, and the Yellow-billed Cuckoo, both
12 require riparian habitats. These are forested areas with
13 surface water, more lush areas.

14 One snake species, a Northern Mexican garter
15 snake. That one also requires riparian habitats, which
16 are not in our project area.

17 And, thirdly, there's a candidate species,
18 Monarch butterfly, which many of you probably know as a
19 very common species. It used to be common, is beginning
20 to be threatened here in the States as well as
21 internationally, so it is considered as a candidate
22 species.

23 In addition to those endangered species -- as I
24 mentioned, we don't have habitat for those species.
25 There is a migratory bird that is known for the project

1 area and seems to benefit from human interaction,
2 agricultural fields, edges of neighborhoods, and that's
3 the Western Burrowing owl. And this species, as I said,
4 is protected in Arizona. It is very common, but there'll
5 be some mitigation measures to make sure that we don't
6 impact a Burrowing owl.

7 And finally, Arizona native plant law. As you
8 saw and have heard, the physical disturbance of our area
9 is in agricultural lands as well as heavily-disturbed
10 areas used for detention basins as well as other
11 transmission lines. And there are no native plants such
12 mesquite trees, palo verdes or any cacti that should need
13 removed from this project.

14 I'd like to switch over to sort of the
15 Exhibit D. This is more of the general wildlife. I do
16 want to call your attention back to this map again. If
17 there wasn't heavily agricultural area within the 1.5
18 miles, this area is considered the Sonoran Desertscrub.
19 Again, the species that you would see: Mesquite trees,
20 palo verdes, grasses, lots of prickly pear, other cacti.

21 Our land use in this area has been in heavily
22 agricultural for more than 50 years. There are no
23 natural drainages that flow through our project area.
24 There is one drainage that comes in from the southeast,
25 and sheep flows -- sheep flow goes to the northwest, and

1 ultimately would head into the Gila River if it could get
2 past all these canals and farmlands and irrigation
3 channels.

4 So we don't have an area that is biologically
5 rich in native vegetation anymore. And, as I mentioned,
6 we're not going to have any trees that will be removed,
7 so we don't have fear of any large nesting birds in that
8 regard.

9 We do not anticipate any impacts to wildlife in
10 the short term or long term from this project.

11 Q. Before we move on to the scenic areas, the
12 discussion of historic sites, et cetera, when you
13 started, you said that if this area had not been -- if
14 the study area had not been heavily farmed, it would have
15 had all the mesquite and the sort of vegetation you
16 identified.

17 Did I have that right? I wanted to make sure I
18 understood that.

19 A. (Mr. Turner) The area would -- any areas that
20 would retain a little bit more water would have more
21 mesquite trees, but in general this area is a lot like
22 what you see along I-10 where you have open desert with
23 very sparse vegetation of grasses and herbs.

24 Q. Okay. And then it sounds like the one form of
25 animal life that is around but maybe benefits from all

1 that agriculture is the Burrowing owl?

2 A. (Mr. Turner) Correct. The Burrowing owl is
3 actually an interesting bird. It does not dig its own
4 burrow. It uses other mammal burrows or manmade canals
5 and irrigation pipes and things. So it can benefit from
6 human disturbance, but it is known to this area. It was
7 here before we were here benefitting from this type of
8 vegetation that would have been in the project area, but,
9 again, with the exposed water, extra vegetation, extra
10 insects and such, they benefit.

11 Q. Okay. So then bringing us -- that's the
12 1.5 mile study area, the dotted circle around, but then
13 as to the smaller section that -- in which this short
14 third of a mile gen-tie will be constructed you don't see
15 any impact from those construction activities, whether
16 they're underground or aboveground, on animals that
17 fall -- wildlife that fall into the biological wealth
18 category, or just plant or animal life in general?

19 A. (Mr. Turner) Correct. This area is denude of
20 significant vegetation. You may have transient migratory
21 birds fly through the area. They're not going to be --
22 have any significant populations at this location.

23 Q. Okay. All right. Thank you for that.

24 I think this next section, certainly Exhibit E,
25 the focus there are the -- usually the visual

1 simulations. That is where you take the time to take a
2 photo of the existing landscape and condition and then
3 make an effort to simulate what the new structures will
4 look like into that landscape. That's a big part of
5 Exhibit E. I assume that's what you're going to show us
6 here?

7 A. (Mr. Turner) Yes, sir. We'll do a few slides
8 doing some simulations. And then we'll talk about the
9 historic and archeological components as well.

10 Again, I'm just going to orient you. We've
11 looked at visual impacts through the 1.5 mile buffer,
12 which is denoted as the black hash line on here. The
13 existing conditions, as I was trying to point out, are
14 expansive views. The area is very flat. So you can see
15 off in the distance a few mountain ranges that are 10,
16 15 miles away.

17 The existing power infrastructure dominates near
18 this -- the gen-tie line. And my next slide will talk to
19 that. We are going to mimic the lines, forms, and
20 colors, textures of the project features in the existing
21 infrastructure area. And, as we'll point out, we don't
22 feel that these two structures will be a significant
23 visual impact to any traveling person or anyone at the
24 fairground. We'll talk through those slides here.

25 So the picture that is on the left screen, I'd

1 like to just walk you through this a second. This one is
2 not actually a simulation, but I wanted to show you the
3 existing conditions. People were talking about the
4 aboveground features that already exist. You can see --
5 the image is too far away -- I don't know if my cursor
6 will hit it, but you can see the substation. The ED2
7 substation is the area that you see the cursor circling.

8 Just to the east of that you can barely see an
9 A-frame, and that is part of the Pinal Central
10 substation, which is what we're tying into. The point of
11 me showing this slide is this is looking from the north
12 along -- looking south along Eleven Mile Corner Road at
13 the general area.

14 And I just wanted to again just to show you the
15 aboveground components of how tangled this area is.

16 CHMN KATZ: And on that there were two pictures.
17 There was a larger picture and then one below. Is that
18 just a close-up of the one below?

19 MR. TURNER: Yeah. I was going to talk about
20 that. They more play into the simulations. The bottom
21 picture is the original picture, a panoramic type shot.
22 And then you can see a yellow box on the bottom image.
23 That area represents what you see in the above picture.
24 The larger picture is just blown up.

25 CHMN KATZ: Got it.

1 MR. TURNER: And that'll play out on the next
2 few slides. Thank you for asking.

3 So there's several things I want to point out
4 here. Again, this gets back to the question that we just
5 received.

6 So the larger picture along the bottom is the
7 original photo undocumented -- undocumented --
8 undoctored, and the part in yellow along the bottom is
9 what you're seeing blown up larger. So you can see three
10 structures in there in the existing. Those are currently
11 out there today.

12 And what we're going to do is show this picture
13 again with our simulations. So, again, everything you
14 see in here -- or, excuse me, everything -- let me go
15 back -- in this image is existing. And I'm going to
16 toggle between a couple of slides here. I'll let you see
17 this.

18 But we're showing these -- the proposed
19 structures. So I'm going to go back one. I did want to
20 point one thing out. It's kind of deceiving but -- I
21 keep hitting the wrong button. Sorry, folks.

22 The distance between those two existing poles is
23 deceiving. It is actually about 160 feet. And so on the
24 next image that you're going to see you're going to see
25 another pole come in between there. It's roughly 85 feet

1 from either pole. It's just a little bit of the angle.

2 So, again, what I've just pulled in here is
3 showing the new riser coming in tying in to the new point
4 of ownership -- change of ownership. And it's hard to
5 see, but it goes off into the dance to the other pole
6 that's already existing within the facility.

7 So, again, we're mimicking the riser. I'm going
8 to go back one slide so you again see existing
9 conditions. And this is what's being proposed. Again,
10 it's two new structures tying into a third structure off
11 in the distance that's existing.

12 Are there any questions on this simulation
13 before I go to the substation simulation?

14 MR. DERSTINE: On the -- Okay. Go ahead, Member
15 Grinnell.

16 CHMN KATZ: Yes, Member Grinnell.

17 MEMBER GRINNELL: What is the distance between
18 these -- the new and two existing poles where you added
19 in this new --

20 MR. TURNER: Yes. The one that looks like it's
21 very close is roughly 85 feet from either of the other
22 two poles. It's in between the two and roughly the
23 distance I just mentioned.

24 And then if you're asking about the point of
25 owner change, it sort of stands over by itself and is not

1 as close to another pole.

2 MEMBER GRINNELL: When you say 85 feet, is that
3 base to base, or is that --

4 MR. TURNER: Base to base.

5 MEMBER GRINNELL: So the actual distance between
6 the -- it's hard from this angle to see the -- so you put
7 up the arms from the middle base, how close is that to
8 your existing poles?

9 MR. TURNER: I don't have that measurement
10 handy.

11 MEMBER GRINNELL: It just seems awful congested
12 right there. Are we looking at a problem with --

13 MR. TURNER: SRP did not see a problem with
14 this. They've gone through design with Orsted, and that
15 location has been acceptable.

16 Again, it's slightly deceiving in the image. It
17 is base to base 85 feet.

18 MEMBER GRINNELL: I'm not worried about base to
19 base. I'm looking at the arms here, and I'm looking at
20 -- because that area gets some significant winds. I
21 guess nothing's blown over so far. But it really looks
22 like we're trying to, you know, cram four people in a
23 three-seat car.

24 MR. TURNER: There's a lot going on in this
25 general area. This is correct.

1 MEMBER GRINNELL: Okay. Thanks.

2 MR. TURNER: Moving on to the next simulation.

3 This image is along Eleven Mile Corner Road looking
4 towards the fairgrounds, so looking towards the northwest
5 at the agricultural field that Orsted that has purchased
6 and where the substation is going.

7 And I'll go ahead and click. And, again, the
8 image has been simulated with the solar facility on one
9 and a half acres, so traveling north along Eleven Mile
10 Corner Road, this will be visible right before the county
11 pound and before the fairgrounds.

12 BY MR. DERSTINE:

13 Q. Can you please toggle back between existing and
14 then the simulated condition. Okay.

15 A. (Mr. Turner) So here's existing. And from this
16 particular location you can see the dirt track with their
17 grandstands there for the auto racing. The major portion
18 of the fairgrounds is to the north of that area. That is
19 the southern part of the fairgrounds. And, again, when
20 the 1.5 acre substation comes in, that's the design.

21 Q. And on the -- using the lower more panoramic
22 existing condition shot, what is the -- behind those
23 shrubs on that side of Eleven Mile Corner Road?

24 A. (Mr. Turner) Correct. The -- it seems to be a
25 low spot where the road drains in, and it seems to

1 creosote, and some of the other vegetation can become
2 enhanced in that area. So those are most likely small
3 shrubs, six feet tall, getting a little extra moisture.

4 Q. And do you know -- looking further in that
5 direction, is that agricultural fields or what's there?

6 A. (Mr. Turner) Sure. We can look at the large
7 map. Again, the blue area on the map on the screen is
8 our study corridor area. And so the point of that photo
9 was right where the cursor is just below or just on the
10 blue looking towards you can see the circle dirt track.

11 Just to the -- I believe the question was what's
12 to the east. That seems to be a little bit more of the
13 open desert that I was mentioning, and it has not been in
14 too much farmland in that general location.

15 So from a conclusion standpoint, the 1.5 mile
16 aboveground gen-tie line along with the two added
17 aboveground structures will not be a significant impact.
18 The project substation is within close proximity to the
19 Pinal Central. The gen-tie line has been reduced to the
20 amount that's just needed and feasible.

21 And, as I mentioned before, our poles will mimic
22 the poles that are in the general area from a line forms,
23 color standpoint and will blend in with the significant
24 aboveground infrastructure in this area.

25 In addition to the scenic qualities of

1 Exhibit E, we talk about historic structures as well as
2 cultural resources. Again, we did database researches
3 for the entire studied corridor -- excuse me, the
4 analysis area, 1.5 mile area, and then more specifically
5 we focused in on the gen-tie study area.

6 There are no historic structures within the
7 gen-tie study area. There are -- there have been 10
8 prior culture resource surveys that covered the gen-tie
9 study area, almost 100 percent complete. Those were
10 conducted for other transmission studies as well as the
11 Pinal Central Substation itself.

12 As we mentioned, this area has been in
13 agricultural use historically for 50 years, but
14 prehistorically it was also used for agricultural, and
15 there is a -- an archaeological site within the blue
16 area, the study route corridor area.

17 It was considered a Hohokam archeological site.
18 That was considered a farmstead, so it was occupied. And
19 due to the size, they thought it was one or two extended
20 sized families. Again, it was populated about 900 to
21 1100-AD. And in order to cover the substation, AECOM
22 also conducted a cultural survey of that area. No
23 cultural resources were found for the station.

24 As I mentioned --

25 Q. Can you go back -- I'm sorry. I'm just trying

1 to -- go back to that point.

2 So is there anything in terms of the
3 construction of the gen-tie line that will impact this
4 cultural site that you are describing there in the second
5 bullet on slide 48?

6 A. (Mr. Turner) I'll go into that on the next
7 slide.

8 Q. Okay.

9 A. (Mr. Turner) And the answer is, no, we don't
10 anticipate a physical disturbance, but we will have a
11 monitor on site. That was at the request.

12 Q. Sorry to jump the gun.

13 A. (Mr. Turner) That's okay. No worries.

14 CHMN KATZ: Again, my understanding is, is that
15 this site was explored and was valued for the data it
16 contained and not as a historical site, per se.

17 MR. TURNER: Correct. They did mention there
18 was a burial, so there on certain portions.

19 So we've had SHPO look at this, and they
20 concurred on our project and our findings. 11 tribes
21 were also consulted. And they requested -- they don't --
22 they agree no adverse impacts, but they recommended an
23 archaeological monitor be there for ground disturbance
24 activities.

25 //

1 BY MR. DERSTINE:

2 Q. So that's everything in Exhibit E to the
3 application.

4 Exhibit I requires that we consider noise,
5 potential radio interference. Why don't you cover that,
6 please.

7 A. (Mr. Turner) Yes. So, again, Exhibit I is to
8 discuss anticipated noise emissions from the new
9 facilities as well as talk about potential interference
10 with communication signals.

11 Our analysis focused on typical audible noise
12 emissions and radio noise levels during construction and
13 operation of the aboveground transmission line and the
14 project substation.

15 We do not feel that there is excessive noise
16 coming off of this line other than during inclement
17 weather conditions, which all the other lines will have
18 that typical noise as well.

19 There are eight active radio towers within
20 10 miles of the project. The closest one is
21 approximately three miles. There is also a cell tower
22 across from the project area. We've determined that
23 there will be no impacts to any radio or television or
24 other communication devices from this project.

25 During operation, noise from the gen-tie line

1 would be largely inaudible, as I just mentioned, except
2 for meteorological conditions. The construction of the
3 gen-tie line itself is expected to take about seven to
4 nine months and will occur during daytime hours.

5 Noise from construction activities would be
6 audible, particularly to the closest residents about
7 1800 feet from the aboveground gen-tie line and a little
8 less to the substation.

9 Might not be able to see the numbers on this
10 map, but we calculated based off of distance the noise
11 levels, and, as you can see, at 50 feet, noise levels
12 from construction would be around 85 decibels. But when
13 we get down to the lower two boxes, which are 1000 feet
14 to the substation, the distance from the residents to
15 that substation or the 1800 foot aboveground those noise
16 levels get down into the 50s range.

17 And to put those in perspective, a typical
18 library or a typical bedroom setting is 15 decibels.
19 Libraries in the 20 to 30s. A typical office setting,
20 much like we have here, is in the 50s. Highways, you
21 know, at 50 feet you're up in the 70s and such those
22 numbers.

23 So, in short, the construction noise levels to
24 the nearest residents would be in the same general level
25 as a normal conversation like we're having here today in

1 the 57 to 54 range from a decibel standpoint.

2 Q. I gather that's not nearly as loud as the train
3 that I understand we're going to hear at night from
4 staying here at the hotel?

5 A. (Mr. Turner) That's correct.

6 Q. Okay. I wanted to go back to that last slide
7 just a minute to drill down on something. It says the
8 closest residents to the substation construction work
9 area, so I assume that means to the substation is
10 approximately 1300 feet; is that right?

11 A. (Mr. Turner) Oh, my apologies. My glasses. I
12 thought I said a thousand -- yes, 1,300 feet. It's a big
13 room. I can't see.

14 Q. But then the closest residence to the
15 aboveground segment of the gen-tie that is the -- from
16 the riser structure over to the point of change of
17 ownership is around 1800 feet; right?

18 A. (Mr. Turner) That is correct. And I'll try to
19 point these out on the map.

20 Again, below the canal that you see crossing
21 here is where you see the residence and the golf course,
22 the substation is roughly in the bottom left corner, yes,
23 correct, where the red dot is. So that distance is
24 roughly 1300 feet to those residents.

25 But, as we mentioned, the aboveground gen-tie

1 where the riser comes up is a little bit further north,
2 and that's approximately 1800 feet to the south -- or to
3 the north of the residence.

4 Q. And I guess that's a valuable data point and
5 point of consideration in looking at the visual
6 simulations that we covered in Exhibit E in that the
7 closest residence to the aboveground -- the new
8 structures that we're placing the riser or the tangent
9 and/or the project substation are well over 1000 feet
10 away; correct?

11 A. (Mr. Turner) Yes, that's correct.

12 Q. All right. Thank you.

13 A. (Mr. Turner) And I'll go through a few
14 conclusion slides.

15 Q. All right.

16 A. So in general this project conforms with
17 applicable management plans, as we've mentioned, the land
18 use plans. It's located in extremely close proximity to
19 the existing Pinal Central, which is where we want to tie
20 in. It results in a .3-mile long gen-tie line where
21 approximately half of it is below ground.

22 This results in minimal impacts to existing and
23 planned land use, existing infrastructure, recreational
24 opportunities, visual qualities, and the cultural and
25 biological resources in the area as well.

1 The proposed route and the substations are
2 environmentally compatible.

3 Q. All right. Ms. Shanahan, this next section
4 falls largely to you.

5 And before we get into notice, I had a -- I
6 understand one of the Committee members had a question.
7 What happens to a solar project at the end of the life if
8 the life of the project is roughly 30 years?

9 What happens then?

10 A. (Ms. Shanahan) Yeah. So at the end of the life
11 of the project, the solar panels would likely be
12 decommissioned, and so the materials that can be reused
13 or recycled are reused or recycled at that point. And,
14 you know, we return the land as close to as possible to,
15 you know, kind of existing conditions. And at that
16 point, the land could be used for another purpose.

17 Q. Is it ever the case that at the end of the
18 usable life or the operational life of the solar modules
19 that they're -- you either refurbish or replaced the
20 modules and continue up with a, I guess, a new upgraded
21 solar project and continue on into the future?

22 Does that ever happen?

23 A. (Ms. Shanahan) Yes, that does happen.

24 And there are different facts that affect, you
25 know, what can be done with the materials at the end of

1 the life. But, yes, in some cases panels and other
2 portions of, you know, the project and various materials
3 can be refurbished or reused for potentially other
4 projects and then other materials are recycled. It's
5 possible, yep.

6 Q. All right. Thank you for that.

7 A. (Ms. Shanahan) Uh-Huh.

8 Q. Another thing we haven't touched on because it's
9 not part of the scope of the CEC application, but a part
10 of the Eleven Mile Solar Center project includes a
11 battery storage capacity.

12 Can you touch on just generally what the -- kind
13 of the size and duration of the battery is?

14 A. (Ms. Shanahan) Sure. And this is detailed in
15 the application.

16 The storage portion of the project is
17 300 megawatts. So say megawatt as the solar, which is
18 also 300. Its batteries are described not only in
19 megawatts but also hours. So in this case it would be a
20 four-hour battery.

21 And so this portion of the project would
22 complement the solar project really well and I think, you
23 know, a lot of these utility scale solar projects that
24 we're seeing these days include a battery component
25 because it allows you to utilize the solar when the sun's

1 not shining during nighttime, you know, you can use those
2 resources where they're needed.

3 MEMBER HAMWAY: Mr. Chairman.

4 CHMN KATZ: Yes.

5 MEMBER HAMWAY: Are you far enough along to know
6 who your manufacturer of your battery system is going to
7 be?

8 MS. SHANAHAN: No, we're not. Not at this
9 point. You know, we're working to finalize those
10 agreements here soon, but we haven't yet.

11 MEMBER HAMWAY: And so how many battery systems
12 has your company Orsted done?

13 MS. SHANAHAN: We've done several battery
14 projects in -- throughout the -- throughout the world,
15 and my apologies I don't have the specific number in my
16 mind right now, but we've done several battery storage
17 projects.

18 MEMBER HAMWAY: What's your largest one?

19 MS. SHANAHAN: I'd have to get back to you on
20 that. My apologies. I don't know.

21 MEMBER HAMWAY: Thanks.

22 MS. SHANAHAN: Yeah, I can check in on that for
23 you.

24 BY MR. DERSTINE:

25 Q. Well, always one of the considerations in

1 developing a storage project is kind of safety and
2 coordinating with first responders, and I assume that has
3 been done.

4 Who was the -- who is the fire and the safety
5 agencies that you'll be coordinating with or have
6 coordinated with for this project?

7 A. (Ms. Shanahan) The battery portion of the
8 project is also located in the City of Coolidge. And so
9 the fire jurisdiction who would oversee the battery
10 portion of the project is the City of Coolidge Fire
11 Department.

12 We have, you know, ongoing coordination with
13 them, you know, as well as others in the City of Coolidge
14 to ensure that, you know, proper planning and safety
15 measures are taken into account. We've also attempted to
16 site the batteries as far from residences as possible
17 just to maintain, you know, a buffer there. I think
18 that's a good industry practice to follow.

19 And so, yeah, we've worked through some of these
20 preliminary considerations with the City of Coolidge Fire
21 Department and expect to, you know, continue coordinating
22 closely with them as design and construction progresses.

23 Q. All right. Well, let's cover notice.

24 MEMBER GRINNELL: Chairman.

25 CHMN KATZ: Yes.

1 MR. DERSTINE: Oh, go ahead.

2 MEMBER GRINNELL: Real quick. Are you going to
3 be coming back to us for gen-tie for these battery
4 storage?

5 MS. SHANAHAN: No. This -- no. Thank you for
6 asking that.

7 The answer is no. This gen-tie will support the
8 solar and storage portions of the project. So no future
9 gen-tie or additional gen-tie would be needed.

10 MEMBER GRINNELL: Okay. Thank you.

11 MS. SHANAHAN: Certainly.

12 BY MR. DERSTINE:

13 Q. Our next area of your testimony, Ms. Shanahan,
14 is the -- to cover kind of the statutory notice
15 requirements.

16 So let's move through and start us with the
17 publication of the notice of hearing.

18 A. (Ms. Shanahan) We published the notice of
19 hearing in two local newspapers. So that was the Casa
20 Grande Dispatch and Pinal Central Dispatch.

21 We ran the notice of hearing three times during
22 the dates shown, December 8 and 10 in the Casa Grande
23 Dispatch and then December 8 in the Pinal Central
24 Dispatch.

25 Q. Okay. And those -- the affidavits of

1 publication are found at EMS Exhibit 7; correct?

2 A. (Ms. Shanahan) That's correct.

3 Q. We're also required to provide notice to
4 affected jurisdictions.

5 Was that done?

6 A. (Ms. Shanahan) Yes, it was.

7 Q. Okay.

8 A. (Ms. Shanahan) The affected jurisdictions here
9 are the Cities of Coolidge and Eloy and also Pinal
10 County.

11 Q. All right. And the evidence of the mailing of
12 the notice to affected jurisdictions, let me see, it's
13 found under EMS Exhibit 11. We have typically the clerk
14 or the docketing at the Commission mails out the notice
15 that we provide in the filing of our application.

16 That was done here, but we didn't see the return
17 receipt come back for Pinal County. So we reached out
18 directly to Pinal County, and the e-mail communications
19 evidencing and confirming receipt of the notice at Pinal
20 County is also found under EMS-11.

21 All right. Beyond notice to affected
22 jurisdictions, we have -- we're required to post signs
23 along the project route.

24 Can you talk about that?

25 A. (Ms. Shanahan) Yes. We posted five large

1 signs. And on the right here you can see an example of
2 what those looked like. Those signs were posted along
3 Eleven Mile Corner Road, which is, you know, a heavily
4 trafficked road in this area and adjacent to the project.
5 And so those signs were installed on December 17. And,
6 you know, there were five of them I think I mentioned.

7 Q. And additional photos of the signs placed at
8 each of those five sign locations are found under EMS
9 Exhibit 12; right?

10 A. (Ms. Shanahan) EMS-12, correct.

11 Q. Okay. In addition, we're required to deliver
12 copies of the CEC application at two libraries in the
13 project area.

14 Where are those libraries located and was that
15 done?

16 A. (Ms. Shanahan) Yes, it was done. We provided
17 full copies of the CEC application at two local
18 libraries. So the Coolidge Public Library and then the
19 Eloy Santa Cruz Library.

20 Q. Okay. And those proof of deliveries are found
21 under EMS Exhibit 9 for the record.

22 A. (Ms. Shanahan) That's correct.

23 Q. All right. Beyond the formal noticing
24 requirements publishing the notice of hearing, notice to
25 affected jurisdictions, delivery of the CEC application

1 to libraries, we also engage in various forms of public
2 and stakeholder outreach.

3 Even though this is a short gen-tie project, we
4 utilized kind of the full array of communication -- forms
5 of communication to publicize the project.

6 Why don't you tick those off and then we'll go
7 through each one in a little greater detail.

8 A. (Ms. Shanahan) Okay. So, you know, getting
9 feedback from the community is important to us, and we
10 attempted to engage with the public in a number of
11 different ways. The first is we sent out newsletters,
12 three newsletters over the last year, to neighbors of the
13 project area.

14 So we send out newsletters to neighbors within a
15 half mile radius, which is about 530 residents, again,
16 times three newsletters. And the content of those
17 newsletters you can see as an example on the right here,
18 we provided information about the CEC process, the scope
19 of it, the location, and purpose of the proposed project,
20 the time line.

21 We provided contact information, so folks could,
22 you know, reach out to us with questions and things like
23 that. And so we mailed these newsletters in July,
24 September, and then October of last year.

25 In addition to the information I just mentioned,

1 we also included an invite in the third newsletter to our
2 in-person open house giving folks an opportunity to meet
3 us in person. And then we -- we don't have it on here,
4 but we also sent out a notice of hearing postcard to that
5 same mailing list in advance of this hearing giving folks
6 information about how and where they can attend.

7 Q. All right. I assume --

8 MEMBER HAMWAY: Just a real quick question,
9 Mr. Derstine.

10 MR. DERSTINE: Yes.

11 MEMBER HAMWAY: So in the past we typically get
12 information about how many people showed up. Are you
13 going to do that?

14 MS. SHANAHAN: Uh-huh.

15 MEMBER HAMWAY: Okay. Perfect.

16 MS. SHANAHAN: Yeah. Yeah. We'll -- I'll talk
17 about the open house in a couple moments, yeah.

18 So in addition to the newsletters we created a
19 project website for the transmission project. It was
20 published in July, and we regularly updated it as new
21 information became available.

22 So some of the information that was included on
23 the website is just, you know, project information, maps
24 of the area. There was a comment section so folks could,
25 you know, contact us or send an e-mail. That way if they

1 wanted to get in touch to us.

2 We also linked the project website to a virtual
3 open house which mimicked the information that was
4 available in our in-person open house, and, again,
5 information about the CEC process, the project, how to
6 participate, where to provide, you know, comments and
7 concerns and things like that.

8 So we have a little bit of analytics here on the
9 website. And it's a little tough to see, but I think I
10 had it written down somewhere.

11 So we had about 428 page views since the project
12 website was published in July.

13 MEMBER HAMWAY: Okay. That did not -- it's not
14 coming in on our -- do you have it? It's a blank screen.
15 So the one that's giving us all the data. Is this the --

16 MS. SHANAHAN: That's right.

17 MEMBER HAMWAY: Is that what's giving us the
18 metrics on the --

19 MS. SHANAHAN: That's correct.

20 MEMBER HAMWAY: Okay. We can't see that. And
21 it's not showing up on our --

22 CHMN KATZ: It's EMS-4, page -- was it 64?

23 MEMBER FRENCH: It's in the binder.

24 MR. DERSTINE: Oh, yeah, it didn't get printed
25 on the -- is it in the --

1 MS. SHANAHAN: Oh, okay.

2 MEMBER HAMWAY: Can we make that any larger or
3 go through and tell us what it's showing?

4 MS. SHANAHAN: Yes, I can do that. Let me -- I
5 need a copy of the presentation.

6 MR. DERSTINE: What we can try to do is maybe
7 make a screen print and circulate that if you can't read
8 it, Amy.

9 MS. SHANAHAN: And I do have a few stats, like,
10 written down here.

11 But so the website had a total of 428 views, and
12 actually, you know, we have ongoing hits to the website.
13 And so the information included in the application is a
14 little outdated compared to what I pulled just a few days
15 ago to just kind of give you the latest.

16 We had over 400 page views. We also tracked
17 things like engaged visits. So we had about 55 engaged
18 visits, which is, you know, folks who are looking at more
19 than one page on the website for more than 10 seconds.

20 We had 21 highly engaged views, which is defined
21 as, you know, looking at more than two pages for at least
22 60 seconds.

23 So, you know, I think it's -- we definitely had
24 people checking out the website and using that tool to
25 learn more about the project.

1 MEMBER LITTLE: Mr. Chairman.

2 CHMN KATZ: Yes, Member Little.

3 MEMBER LITTLE: I don't believe that those of us
4 who are remote got access to the exhibit that is being
5 shown. Usually we can pull it up on our computers, but I
6 don't think we got --

7 MEMBER HAMWAY: It's not in our packets. And
8 it's not on -- it's not printed. So the only place you
9 can physically see it is on the screen here in the room.

10 MEMBER LITTLE: Oh, okay. Sorry. All right
11 okay. Thanks.

12 MEMBER HAMWAY: It's too hard to read anyway.
13 You can't tell what it says.

14 MEMBER LITTLE: Well, I appreciate your -- being
15 told the information. Thanks.

16 MS. SHANAHAN: Yeah. I'm glad I had it jotted
17 down. So my apologies for that, but I hope that's a
18 helpful description at least of some of the activity on
19 the website.

20 BY MR. DERSTINE:

21 Q. And I assume what drove much of traffic to the
22 website was that the website address was included in the
23 newsletters that you just touched on; correct?

24 A. (Ms. Shanahan) Yeah, that's right. So through
25 the newsletters we provided the website address for the

1 project website. You know, we also provided that on our
2 social media outlets, which, you know, I'll talk about in
3 a couple minutes. But, yes, that, you know, information
4 to access the website was provided in the three
5 newsletters.

6 Q. All right. Let's talk about the virtual open
7 house, then.

8 A. (Ms. Shanahan) Okay. So we published the
9 virtual open house back in July. And some of the content
10 there included just, like, the purpose in need for the
11 transmission project, a little bit about the proposed
12 facilities and features associated with the project.

13 We provided some environmental data, some images
14 and maps of the project. We also provided an overview of
15 this process, of this CEC process, to give people a
16 little bit of understanding of, you know, why they're --
17 why this permit is needed and opportunity for comment as
18 well.

19 So this is what the -- some of the slides in the
20 virtual open house looked like. We also provided a
21 comment form. I'm not sure if I mentioned it so that
22 people could submit questions requests and, you know,
23 other comments to us. So just like another avenue for
24 people to reach out.

25 Q. So in addition to the virtual open house, you

1 actually --

2 A. (MS. SHANNON) Yes.

3 Q. -- rented some space and had an in-person open
4 house. Let's talk about that.

5 A. (Ms. Shanahan) Yeah, that's right. So we held
6 an in-person open house, you know, recognizing not
7 everyone may utilize the website or social media to look
8 at information. And we wanted to make sure folks had an
9 opportunity to meet with us in person if they wanted to
10 do that.

11 And so we held an in-person open house in
12 November. We included the information I just described
13 in the virtual open house. So just, you know, we had
14 display boards, project maps and other information
15 available about the CEC process itself available. We
16 provided comment sheets and things like that.

17 I was there in attendance at the open house
18 along with a colleague of mine. We had five members of
19 the public attend the open house and a sign-in sheet was
20 provided with the application materials. So that's --
21 these are some photos of what the setup looked like at
22 the open house.

23 It was held, I should also add, at the Pinal
24 County Education Services Agency, which is very close to
25 the project area. And if you're familiar with it, it's

1 kind of a shared facility with the Mary C. O'Brien school
2 located next door.

3 MEMBER LITTLE: Ms. Shanahan, did you say how
4 many people participated in the virtual open house, if I
5 missed had?

6 MS. SHANAHAN: I did not. I don't think that we
7 provided analytics on that, but I can certainly get that
8 information to you if it would be helpful yeah.

9 MEMBER LITTLE: Thanks. I'd appreciate it.

10 MS. SHANAHAN: Uh-huh.

11 BY MR. DERSTINE:

12 Q. And going back to the phantom analytics graphic
13 for the website, I did find it in Exhibit J to the
14 application. It's page J-18. It's smaller. But I think
15 it's legible. So that's -- and it could be that the one
16 that was on the screen there is -- we've blown it up here
17 for the Committee members who are appearing virtually or
18 don't have access to the application.

19 But it is found in Exhibit J-18. And now it's
20 being shown on both screens here in the hearing room, and
21 hopefully that makes it a bit larger and easier to see.

22 MEMBER HAMWAY: Thank you.

23 BY MR. DERSTINE:

24 Q. So you say how many people attended the
25 in-person? Five?

1 A. (Ms. Shanahan) Five people attended the
2 in-person open house.

3 Q. And it looked like from the photos it may be was
4 a rainy evening at the time, so maybe that's a pretty
5 good turnout.

6 A. (Ms. Shanahan) It was. So, yeah, it was kind
7 of an oddly rainy evening. And, you know, we had five
8 folks brave the weather to come out and talk to us.

9 Q. Okay. So I know that we have -- in addition, I
10 think we may have skipped it, but we also used newspaper
11 advertisements. Did we miss those slides? Yep. If we
12 go back one.

13 MEMBER GRINNELL: Mr. Derstine or Mr. Chairman.

14 CHMN KATZ: Yes, sir.

15 MEMBER GRINNELL: I guess I was looking at some
16 of these comments, which were actually very few.

17 But did anybody -- I see where one
18 participant -- I don't know if -- it looked like it was
19 by e-mail -- asked how they were going to be impacted.

20 Did any of them ask or is -- was there any
21 education about who is going to be receiving the benefits
22 of this additional power source?

23 MS. SHANAHAN: Yeah. So we've provided
24 information about the benefits to the community, you
25 know, on our website. I guess just so I'm understanding,

1 are you asking about impacts --

2 MEMBER GRINNELL: Who will be the ultimate
3 customers? Let me ask it that way.

4 Who's the ultimate customers of this project?

5 MS. SHANAHAN: Oh, I see. I didn't understand
6 the question. My apologies.

7 MEMBER GRINNELL: That's all right. No, it's
8 not your fault.

9 MS. SHANAHAN: All right. So the power or
10 energy from the project would be used at the discretion
11 of the local utility who, you know, manages the power.

12 And so, you know, these electrons don't
13 necessarily have an address, and it's sort of up to the
14 local utility to direct resources where they're needed.

15 MEMBER GRINNELL: So you're selling the power to
16 the utility ultimately? And wherever they send it they
17 send it?

18 MS. SHANAHAN: That's right.

19 MR. DERSTINE: And I guess --

20 MEMBER LITTLE: Is the purchasing utility SRP or
21 ED2?

22 MR. DERSTINE: Yes, Member Little. I think my
23 understanding -- and I'll go as far as I think we're
24 allowed to go -- is that Orsted, Eleven Mile Solar
25 Center, LLC is -- has negotiated and pretty well has

1 finalized a PPA, a power purchase agreement, for the
2 output, but it has not been finalized.

3 And so, therefore, Orsted is not in a position
4 to -- I guess it hasn't been publically announced, and so
5 we're not able to talk about who will be the current
6 party, the offtaker of this energy, but, obviously, a PPA
7 is -- those negotiations are underway, and, as I
8 understand it, have progressed pretty far.

9 MEMBER LITTLE: Because most of those people in
10 that area have ED2 power, I think.

11 MR. DERSTINE: Yeah. And I do think that ED2 is
12 not -- is certainly the -- is the local utility in terms
13 of distribution utility for serving this area, but I
14 don't think the ED2 facility is the offtaker under the
15 power purchase agreement.

16 MS. SHANAHAN: Yeah. And I will just add to
17 that that the amount of, you know, power that we're
18 producing is enough to power 68,000 homes in Arizona.
19 So, you know, that could be a really good benefit to the
20 local grid here.

21 BY MR. DERSTINE:

22 Q. So we were touching on just advertisements. How
23 did you use these newspaper ads?

24 A. (Ms. Shanahan) Yeah. So we ran ads several
25 times here locally which, you know, the intent here was

1 to just provide another way to inform the public about
2 the project and then direct, you know, questions about it
3 to us.

4 And so we ran paid advertisements in the Pinal
5 County Arizona Dispatch, and the dates are shown here
6 when the ads were run. And then in addition to that we
7 provided a couple of notices, you know, advertising
8 the -- this hearing as well.

9 Q. What about social media?

10 A. (Ms. Shanahan) Yeah. So we used social media
11 to get the word out about the project as well. We
12 created Facebook and Instagram sites for the transmission
13 projects where we, you know, posted updates regularly.

14 We posted a total of 13 times on Instagram and
15 then also 13 times on Facebook. And so the -- you'll see
16 here it says posted nine times. We actually had a few
17 more posts after that, and so the total is up to 13 posts
18 right now on each of those platforms.

19 We also -- of those 13 posts, a couple of them
20 were paid ads, you know, which reached an even larger
21 audience. And so some of the content on our social media
22 outlets is shown here on the right. So in addition to
23 just informing folks about the project, we posted a map.
24 You know, we provided links to the project website. We
25 had an invite to the open house and then also posted

1 information about the notice of hearing recently, so
2 folks could attend the public comment session of this
3 hearing if they'd like.

4 And then, you know, we also had a few fun posts
5 about some local events we participated in. And so
6 you'll see a little bit of that on this slide as well.

7 Q. Yeah. The local event participation, these
8 were, what, fairs or other events in Eloy or Pinal County
9 where you set up an Orsted table, is that -- and kind of
10 were there to talk to anyone who was willing to come talk
11 to you?

12 A. (Ms. Shanahan) Yeah, that's right. And I
13 can -- I thought I had a slide on that, but maybe not.
14 So we attended a number of local events which, again, you
15 can see photos here of some of the events.

16 So we not only, you know, try to get the word
17 out via the social media and the website, but we also
18 just attended events happening locally. So just to give
19 you an idea, some of those events over the last year that
20 we actually had tables at and or sat person at with
21 information was at the Coolidge Cotton Days, the Pinal
22 County Fair, which is located very close to the project
23 area, Fiesta Patrias, Coolidge Days, the Eloy Glow
24 Festival. So you can see the balloons there in the top
25 right photo. And then we did a couple workshops with a

1 local school that the workshops are called KidWind where
2 we educate students there about renewable projects.

3 That's just sort of a sampling of some of the
4 local events that we attended to make ourselves available
5 that way to folks.

6 Q. And I guess part of that attending those local
7 events is that Orsted views itself and the project as
8 being part of this community. And you'll be here a long
9 time, you want to be a good neighbor, and you want to
10 participate in the activities and be a part of this
11 community and let folks know that you're here to -- not
12 only for a long time but to be a good neighbor for a long
13 time?

14 A. (Ms. Shanahan) Yeah, that's right. You know,
15 we do make, you know, donations locally, but then it's
16 also important to attend in person and kind of meet
17 people, talk with them, you know, see what's going on in
18 the community.

19 And so we've spent a lot of time here, you know,
20 ensuring we have a presence at these events that we're
21 meeting with folks, attending chamber of commerce events,
22 and things like that.

23 So, you know, it's not lost on us that these
24 projects have a big impact on the local communities here,
25 so we want to make sure it's a positive impact and people

1 are familiar with us. They know how to get in touch with
2 us. They know who we are, and they know we're a good
3 neighbor.

4 Q. Thank you for that.

5 A. (Ms. Shanahan) Uh-huh.

6 Q. Beyond social media, you had some direct
7 interactions and communication with agencies and local
8 officials. Let's talk about that.

9 A. (Ms. Shanahan) That's right. So the affected
10 jurisdictions that we mentioned previously that has the
11 City of Coolidge, the City of Eloy, and Pinal County,
12 we've met with those jurisdictions regularly about the
13 solar project and then also the transmission portion of
14 the project as well. Those conversations are ongoing,
15 and we've been keeping them up to date on the progress of
16 this project and providing just an avenue for them to
17 give us their feedback.

18 Q. Okay. Now, the public comments are collected
19 and shown under Exhibit J. I think Member Grinnell had
20 indicated he's looked at some of those. Do you want to
21 kind of summarize the public comments you received?

22 A. (Ms. Shanahan) Yeah. So we received comments
23 from the public a number of different ways. Some of them
24 were through the comment form on our website. Some were
25 phone calls or e-mails presumably that folks, you know,

1 received our contact information from our newsletters
2 that we mailed out. There are a number of different ways
3 that folks provided comments to us.

4 The content of those conversations are
5 summarized here. There were seven of them total. And I
6 realize that may not be a long list, but, you know, we've
7 documented what folks were interested in and what our
8 responses were here.

9 I will add that the majority of the comments and
10 questions we received were actually related to the solar
11 portion of the project rather than the gen-tie. And so
12 we really didn't receive comments or concerns relating to
13 the gen-tie portion of the project. It was really more
14 interest in, you know, kind of the greater solar project.

15 Q. And I mentioned in my opening that there's been
16 no public comment in opposition to the gen-tie or raising
17 any serious concerns regarding the gen-tie. But there is
18 this -- you know, there is the issue of solar projects
19 being developed in Pinal County.

20 Orsted isn't the only company that's developing
21 projects here, and there are members of the community,
22 some farmers, agricultural interests, who are unhappy,
23 and I guess on whatever level oppose further solar
24 development in this area, and that's what some of the
25 comments you received.

1 Is that what you're referring to?

2 A. (Ms. Shanahan) That's right.

3 Q. Yeah.

4 A. (Ms. Shanahan) That's right, yeah.

5 Q. I think this next slide is the missing local
6 event participation that I jumped the gun on.

7 A. (Ms. Shanahan) That's okay. This is just a
8 sampling of photos from some of the events that we
9 participated in, which I mentioned before. And so you
10 can see we had an Orsted booth in person, you know,
11 available at most of these events. And they're pretty
12 fun, actually.

13 You know, there's -- it's some fun, little
14 events here for sure. I think the Eloy Glow Festival
15 recently was a highlight for our team. It's the first
16 one of those that happened, and we're looking forward to
17 participating in that one in the future.

18 And we're already talking with the fair and
19 other folks about some of the upcoming events this year
20 so, you know, we can ensure that we continue to
21 participate in these events moving forward.

22 Q. We have -- I think that concludes your
23 testimony, Ms. Shanahan.

24 A. (Ms. Shanahan) Yes, it does. Thank you.

25 MR. DERSTINE: And, Mr. Turner, I think we

1 finished your testimony.

2 MR. TURNER: Yes, sir.

3 MR. DERSTINE: So we've went through our case
4 here. And, I mean, I try to be efficient with these
5 cases. I didn't know I would be this efficient and be
6 finished here at four o'clock in the afternoon.

7 But, you know, as I mentioned, unless you have
8 any other questions, I would offer the exhibits that we
9 have marked. And I'm happy to run through those with
10 you, Mr. Chairman, and close the direct case in support
11 of our application.

12 CHMN KATZ: Feel free to do -- I don't know that
13 you do describe --

14 MR. DERSTINE: I'm happy to run through the
15 list.

16 CHMN KATZ: -- the list.

17 MR. DERSTINE: I'd move the admission of EMS
18 Exhibit 1, which is the CEC application.

19 I'd move the admission of our witness summaries
20 EMS-2 and EMS-3.

21 I would move the admission of EMS-4, which is
22 the witness slide presentation that's been shown here in
23 the hearing room on the left and the right screen.

24 I'd move the admission of EMS-7, which is the
25 affidavit of publication for -- of the publication of the

1 notice of hearing.

2 I would move the admission of EMS-9, which is
3 the proof of delivery of the CEC application and
4 transcripts to the libraries.

5 I'd move EMS-10, which is proof of the website
6 posting.

7 I move for the admission of EMS-11, proof of
8 service to the affected jurisdictions.

9 Admission of EMS-12, proof of the posting of the
10 signs along the project route.

11 Go ahead and move, as Ms. Shanahan testified to,
12 the postcard announcing the hearing, which is the EMS-13.

13 And I'll move the admission of -- I'll stop
14 there and for a moment circle back with Ms. Shanahan.

15 So if I can move those identified exhibits and
16 then let me cover a few of these with Ms. Shanahan
17 because, Ms. Shanahan, I've neglected to cover with
18 you -- we talked about comments, but there are some
19 letters of support that are included in our exhibits.
20 The first is from the City of Eloy, which is marked as
21 EMS-13 -- I mean, 15.

22 The Eloy Chamber of Commerce has indicated they
23 support this project. I gather you've had a fair amount
24 of communication coordination with the City of Eloy?

25 A. (Ms. Shanahan) That's right. We've worked very

1 closely with the City of Eloy Chamber of Commerce in a
2 number of different ways. We participated, as I
3 mentioned, at the Eloy Glow festival that they hosted
4 this last year. It's a really great group doing, like,
5 lots of cool local events, and, you know, we're happy to
6 work side by side with them and continue that
7 relationship.

8 Q. Yeah. Now, the gen-tie line is not located with
9 the jurisdiction of the City of Eloy.

10 A. (MS. SHANNON) No.

11 Q. But the solar project itself, some aspects or
12 portions of this solar project are located within the
13 jurisdiction of the City of Eloy; correct?

14 A. (Ms. Shanahan) That's correct.

15 Q. Okay. And their letter, EMS-15, indicates that
16 they support this project and appreciate the coordination
17 with Orsted on this project.

18 EMS-16 is a letter of support from James and
19 Kristi Passig.

20 Who are the Passigs?

21 A. (Ms. Shanahan) The Passigs are local residents
22 here, and they own land nearby to the project. And
23 they've been good neighbors to us, and, you know, we've
24 tried to be good neighbors to them as well.

25 Q. Are the Passigs receiving millions of dollars

1 from Orsted for land?

2 A. (Ms. Shanahan) No. No they're not.

3 Q. There's also a letter of support from Insight
4 Land and Investments, which is marked as EMS-18.

5 A. (Ms. Shanahan) That's right. Insight Land is a
6 local landowner here, and, you know, they actively manage
7 quite a bit of land in the area.

8 MR. DERSTINE: Okay. So I would move those
9 additional exhibits, EMS-15, the letter of support from
10 the Eloy Chamber of Commerce, EMS-16 letter of support
11 from the Passigs, and EMS-18, which is the letter of
12 support from Insight Land Investments.

13 And the final exhibit I'll identify for the
14 record is the Commission Staff letter dated January 9,
15 2023. Again, that's EMS-17. In that letter, Commission
16 Staff -- I'm sure Member Little has reviewed it. Staff
17 concludes that based on Staff's review of the application
18 as well as the applicant's response to a Staff-issued
19 data request, Staff believes that the proposed gen-tie
20 project could improve the reliability and safety of the
21 grid.

22 With that, I would move EMS-17.

23 And those are all of the applicant's exhibits,
24 Mr. Chairman.

25 CHMN KATZ: Let me just confirm with you. You

1 are offering Exhibits 1, 2, 3, 4. And then we skipped to
2 7, 9, 10, 11, 12, 13. And then you've also offered
3 Exhibit 15, 16, 17, and 18.

4 MR. DERSTINE: That's correct, Mr. Chairman.
5 Thank you.

6 CHMN KATZ: And 5 and 6 have not been offered;
7 is that correct?

8 MR. DERSTINE: Exhibits 5 and 6 are just a form
9 of proposed CEC, so we'll get to working through those.
10 I don't view those as needing to be admitted.

11 CHMN KATZ: Okay. That's fine.

12 So Exhibits 1, 2, 3, 4, 5 -- well, excuse me.
13 Back up.

14 Exhibits 1, 2, 3, 4, 7, 9, 10, 11, 12, 13, 15,
15 16, 17, and 18 will be admitted. And you we need to make
16 sure that our court reporter has copies of all of those.

17 MR. DERSTINE: We will. Thank you.

18 Ms. Shanahan, Mr. Turner, is there anything more
19 you'd like to say for the record before we close our
20 case?

21 MS. SHANAHAN: Nothing other than, you know, we
22 appreciate the Committee's time and consideration on this
23 project.

24 MR. TURNER: I have nothing further. Thanks for
25 your time.

1 MR. DERSTINE: And I would simply close by
2 saying, you know, I spent some time at the beginning
3 talking about short gen-tie cases and recognizing that
4 these kinds of cases take up a lot of the Committee's
5 time. And I know you're working on ways to better and
6 more efficiently deal with these cases.

7 But certainly this project is a very important
8 project for Orsted. I think it's an important project
9 for Arizona in terms of bringing more solar energy to the
10 market as well as the battery storage component.

11 As Ms. Shanahan indicated, we appreciate your
12 time and your attention even on short gen-tie cases.

13 I appreciate the good work of our court reporter
14 and the AV team.

15 And that concludes our case.

16 CHMN KATZ: Let me ask you this: I'm going to
17 need you to take a look at the proposed forms of the two
18 CECs, make sure they are in appropriate order, and get
19 them sent by Word to Todd.

20 We will eliminate, if you haven't already done
21 that, any references to prior CECs and any editorial
22 comments that aren't substantive and make sure that the
23 grammar and punctuation is hopefully correct.

24 And what Todd will do is send back to you,
25 either this evening or probably tomorrow morning, the two

1 CECs in two forms.

2 Chair Exhibit 1 will be the PDF of CEC-1. Chair
3 Exhibit 2 will be the Word version of that that we will
4 work from. And we will not review the Chair Exhibit 1.
5 It's just there for the record, for the Corporation
6 Commission and public to know where we started from
7 before we came up with the final version.

8 And that should end up being in pretty good
9 shape by the time we are done and have a chance to
10 deliberate. We're going to painfully go through that
11 paragraph by paragraph, condition by condition, finding
12 of fact and conclusions of law each and every one of
13 those.

14 Then for the second CEC, Chair Exhibit 3 will be
15 the PDF version of that, and Chair Exhibit 4 will be the
16 Word version that we will work from. And I will just
17 have you make avows as to what changes there are,
18 probably just in a legal description, and there may be a
19 couple of other conditions that are modified or added.

20 But I don't see the need -- to the extent that
21 the CEC-1 and -2 are substantially the same, I don't
22 think we need to go through paragraph by paragraph. But
23 we'll need to know what the difference is between the
24 second CEC and the first, and we will then take a roll
25 call vote on the second. Obviously, we'll take a roll

1 call vote after we review all and approve the paragraphs
2 of the first CEC.

3 I don't know what your thoughts are.

4 We originally -- we have a special meeting, as you know,
5 set for four o'clock tomorrow afternoon. We were
6 originally thinking of setting this at the end of this
7 hearing, but that wouldn't be adequate public notice,
8 and, obviously, we could have done it probably this
9 afternoon. But we set it at four o'clock tomorrow
10 thinking that we might not be done till noon or one or
11 two o'clock tomorrow.

12 We, obviously, should be done probably about --
13 I don't know what time you recommend and what time the
14 Committee recommends we get together. We could get it
15 together tomorrow at nine or we could do it at 10. But
16 we're then going to have to wait -- just as we are this
17 evening, we're going to have to wait until 5:30 for
18 probably nonexistent public comments. So that should
19 take about five or 10 minutes unless there are some
20 sincere public persons. There's nobody here, but they
21 can attend virtually.

22 And then tomorrow we'll have to wait till four
23 for our special meeting. And I appreciate that the IT or
24 audio-visual staff is working with us on that. This
25 meeting was set on very short notice, like last Friday.

1 And we need to get stuff to the legislature. We have a
2 preliminary bill, I think, ready to go, but it's going to
3 have significant changes, and we have a sponsor and the
4 like.

5 But if there's an issue with the AV or IT
6 staying -- the team staying for probably a half an hour
7 to an hour meeting tomorrow afternoon I won't hold you
8 hostage, but then it's up to you. Otherwise, we'll have
9 to use our own computers or, perhaps, share a computer.
10 But we didn't need to go on the record for that.

11 What time do you recommend we get together,
12 Mr. Derstine?

13 MR. DERSTINE: You know, the applicant is
14 flexible. I mean, if we were going to take a route tour,
15 we wouldn't be starting until later in the morning. So
16 if it's the Committee's pleasure to start later in the
17 morning rather than working through the deliberations and
18 CEC and then, you know, having to adjourn and wait for
19 your special open meeting at four in the afternoon, I'm
20 happy to delay the start.

21 Again, we've closed our case. We'll come back.
22 We'll have the proposed CECs ready to go. Whatever time
23 you would like to start we're happy to accommodate and
24 work with.

25 MEMBER HAMWAY: I just have one quick question.

1 What condition is the play nice clause? Is that in the
2 CEC?

3 MR. DERSTINE: It is -- well, I think it may not
4 have made its way into the exhibit. Yeah. So it will
5 be -- when we circulate tomorrow, it's going to be CEC
6 Condition 24.

7 MEMBER HAMWAY: Okay. So it's not in here?

8 MR. DERSTINE: It's not in there yet.

9 MEMBER HAMWAY: Okay.

10 MR. DERSTINE: We had not finalized that
11 agreement at the time we had filed our exhibits.

12 CHMN KATZ: And we can violate Robert's Rules by
13 having an informal discussion as to what time we get
14 started, and then we can have a motion. I don't know
15 whether we want to start at 9:00 and probably be done by
16 10:00 or 10:30 or whether we want to start at 10:00 and
17 definitely be done by 10:30 or 11? No matter -- no
18 matter what we do, we're going to have to wait till
19 four o'clock.

20 MEMBER HAMWAY: Well, I am and you are, but
21 David and Len don't have to. They've got other jobs. So
22 I'm thinking about them trying to get out of here and get
23 on with the rest of their day. Do you want to have a
24 nine o'clock, ten o'clock? What is more convenient for
25 you guys since you actually have jobs?

1 CHMN KATZ: And I have Leonard captive. He was
2 my ride here today, and I'm his ride in two weeks to
3 Yuma.

4 MEMBER HAMWAY: Well, I can take you home.

5 MEMBER DRAGO: Yeah, I can work from here. So
6 it's no problem.

7 MEMBER FRENCH: I don't have a preference.

8 MEMBER PALMER: How about 10 o'clock?

9 MEMBER HAMWAY: 10 o'clock.

10 CHMN KATZ: Jim, do you have a motion that we
11 start tomorrow's session at 10?

12 MEMBER PALMER: That's my motion.

13 MEMBER HAMWAY: Second.

14 CHMN KATZ: All in favor?

15 (A chorus of "ayes.")

16 CHMN KATZ: Any objections?

17 (No response.)

18 CHMN KATZ: Hearing none, we'll recess until
19 10 o'clock tomorrow.

20 Those of you who are hanging around with us this
21 evening can maybe make some plans for a cordial dinner.

22 MEMBER PALMER: Public comment at 5:30.

23 CHMN KATZ: Oh, yeah, we'll be back -- I can't
24 forget that. We'll be back at 5:30 for probably a
25 session that will go nowhere.

1 MR. DERSTINE: And we have a holiday dinner I'm
2 told is described -- as Ms. Shanahan described it as a
3 holiday dinner that the hotel will be providing here
4 ready at five. You can have a little dinner if you want
5 to as an appetizer before the real dinner later or
6 whatever you'd like to do. But since we had you captive,
7 we provided a meal for dinner this evening.

8 CHMN KATZ: Okay. We'll go off the record.
9 We'll recess until 5:30.

10 (Recess from 4:14 p.m. to 5:33 p.m.)

11 CHMN KATZ: We're going back on the record. I
12 believe that Members Little and Grinnell are present
13 virtually.

14 And everybody that was here this morning is
15 still here this afternoon.

16 It is now about 5:34, almost 5:35. And we don't
17 have any members of the general public in the room, and
18 I'm looking at our audio-visual IT folks, and I'm getting
19 nobody's on virtually. So we have no public --

20 MEMBER LITTLE: Mr. Chairman.

21 CHMN KATZ: Yes, Member Little.

22 MEMBER LITTLE: The link that was provided to us
23 for this meeting, the public information didn't work. I
24 put in the meeting number. So I don't know if they used
25 that link anywhere else for the general public or not.

1 CHMN KATZ: I have really no idea because I
2 don't know how the links get posted, but --

3 MEMBER HAMWAY: We're going to find out.

4 CHMN KATZ: -- we'll find out probably tomorrow,
5 as far as I know there hasn't been any negative input
6 given to the applicant through its numerous means of
7 communication with the neighborhood and with the counties
8 and the two cities.

9 I just -- if we have a problem, they'll let us
10 know, but I'm not aware of any public comments, and I
11 guess we're just going to stand in recess till 10 o'clock
12 tomorrow morning.

13 MEMBER GRINNELL: Mr. Chairman.

14 CHMN KATZ: Yes, Mr. Grinnell.

15 MEMBER GRINNELL: Before we go -- and maybe we
16 can go off the record -- I just want to ask a quick
17 question about tomorrow's meeting.

18 CHMN KATZ: Sure.

19 MEMBER GRINNELL: Can I ask that after we go off
20 the record today?

21 CHMN KATZ: Do you want to be on the record
22 right now? We are.

23 MEMBER GRINNELL: It doesn't matter.

24 CHMN KATZ: Okay. Go ahead.

25 MEMBER GRINNELL: I did not see an actual agenda

1 for tomorrow's meeting. And are we going to be limited
2 in scope as to the discussion for tomorrow's meeting?

3 CHMN KATZ: The agenda was posted as part of the
4 notice on the docket under -- I don't know the docket
5 number. But we had a special docket set up.

6 And the agenda merely says we're having a
7 discussion to authorize essentially Jim, Mary and myself
8 to work with the legislature to consider simplifying the
9 CEC process. Something -- I don't have the agenda
10 immediately in front of me, but it was simply to discuss
11 amongst our -- really, the legislator that is sponsoring
12 this wants to know is that they have the Committee
13 support.

14 MEMBER HAMWAY: What I'm going to do, tomorrow
15 Rick, is basically bring everybody up to date of
16 everything that's happened since August when the letter
17 was written, and then a couple of plans forward.

18 So that's all it is is just -- and because one
19 of the things that's happened is every time I talk to
20 anyone about this, the first question I get is, How do
21 your fellow Committee members feel?

22 And, quite frankly, I don't know how anybody
23 feels with the exception of Jim and a little bit of Paul
24 and just, you know, if I'm here and talking. But I
25 certainly don't know how Toby feels or you feel or Karl

1 Gentles feels or Gabby. So I don't know any -- I don't
2 know how anybody feels other than just on the surface
3 about the letter or about legislative changes.

4 So what it is tomorrow is to bring everybody up
5 to date and to get your commitment of whether you support
6 this, if you've got a better idea or if you'd like to
7 stay neutral and not support it.

8 MEMBER GRINNELL: Well, is there going to be
9 available any further discussions about what this
10 Committee does or doesn't do?

11 MEMBER HAMWAY: Well, I'm not going to talk
12 about what it does and doesn't do. What I plan on doing
13 is presenting about 15 minutes. And then I have some
14 ideas, some scenarios, some things that we can put up and
15 start discussing as a group.

16 I don't have the answers. All I'm trying to do
17 is provide ideas to take us in different directions so
18 that we can say, yes, I like that idea; no, that goes way
19 too far.

20 So this is what tomorrow is, is just to try to
21 get some ideas about what we would be comfortable with
22 and because we have no time. We have about a month
23 really before this starts getting heard in Committee.

24 So we don't have a lot of time. We're going to
25 have a two-week open comment period that I'll talk about

1 tomorrow. And Jim and Daniel and I are meeting hopefully
2 tomorrow. If not, Jim will do it. Jim is our liaison on
3 legislative side.

4 So we're going to continue working, and we're
5 going to take the ideas, and we're going to look at what
6 gets posted. And if we have to have another public
7 meeting associated with another hearing that probably
8 won't be a problem since we have several, but we can
9 certainly do that and bring everybody up to date.

10 So my whole goal is I don't have the answers.
11 It's going to take all of us to figure out how to
12 streamline this process and save line siting. Because if
13 we can't figure this out, I don't think line siting can
14 be saved.

15 So this is a pretty important thing to do.

16 MEMBER GRINNELL: And to that end -- and I
17 appreciate everything you've done. Please don't get me
18 wrong.

19 But I think there's a broader discussion that
20 needs to be addressed and maybe either inclusive or in
21 addition to as to the role of this Committee for the
22 long-term, because this is a power plant and line siting
23 Committee. And I just want to ensure that we're looking
24 at the whole scope of what are power plants, what are the
25 other issues related that we probably should be talking

1 about.

2 MEMBER HAMWAY: Okay. We're not going to talk
3 about solar, and we're not going to talk about wind, so
4 that's -- I'm going to tell you that up front.

5 And I would also ask you if you're looking at
6 this and thinking, yes, we should -- we should regulate
7 or oversee the siting of wind and solar, I would ask you
8 what would we oversee? They don't emit CO2. They don't
9 use water. You know, the land is not really taken away.

10 So short of -- I don't know what line siting
11 would -- how it would work, how would line siting oversee
12 the siting of a solar plant or a wind plant? I don't
13 know what we would do.

14 CHMN KATZ: And my belief from the folks I've
15 talked to is that there is no way that the legislature is
16 in a mood to regulate wind or solar. They want to
17 encourage its development. I see some problems with that
18 because a lot of people are jockeying for position and
19 want to outsmart their next door neighbor.

20 And with the major power -- the traditional
21 power plants if APS wants to put a plant next to an SRP
22 plant in Maricopa County, the Corporation Commission can
23 say, We don't need a plant in Maricopa County. We want
24 you to put that in Pinal or Cochise County.

25 There's no regulation except through zoning of

1 solar and wind, but we're not focusing in on that right
2 now. Almost everything we are asked to do right now --
3 and we're booked through at least June of 2024 -- is a
4 gen-tie line anywhere from a few hundred feet to
5 500 miles. But most of them are very short anywhere from
6 a couple hundred yards to a couple of miles.

7 And what we really want to do is at least set up
8 a category of lines that are, let's say, a series of
9 three poles and less than a quarter of a mile to exempt
10 them from line siting, and things that, perhaps, are a
11 mile long or there's no objection or it's in a rural area
12 that we would have a hearing before a hearing officer or
13 a administrative law judge.

14 We just want to get permission for Jim and Mary
15 and the like to work with the legislature to see what we
16 come up with. And then I would expect us to want to
17 present that to a public meeting and see what changes to
18 that proposal might be made.

19 I'm hoping we can get something up.

20 MEMBER LITTLE: Mr. Chairman.

21 CHMN KATZ: Yes.

22 MEMBER LITTLE: I would like to just mention
23 that I think that there may be more than just a Committee
24 present at the meeting tomorrow since it's an open
25 meeting. I did look at the docket, and Commissioner

1 Marquez Peterson has requested comments from the
2 utilities by the 17th of January, and all the utilities
3 said, well, we definitely want to comment, but we want to
4 wait and see what happens with the open meeting with the
5 Commission -- or with the Committee.

6 So they very well may be there present in the
7 meeting tomorrow, and I just wanted to mention that.

8 MEMBER HAMWAY: We don't anybody to --
9 (Simultaneous cross-talk.)

10 CHMN KATZ: And I won't say it now, but I almost
11 think that these gen-tie lines no matter how long they
12 are could be heard by an administrative law judge on a
13 full-time basis, but that's not something I'm going to
14 recommend.

15 MEMBER HAMWAY: Well, let's just wait till
16 tomorrow.

17 CHMN KATZ: Yeah.

18 MEMBER FRENCH: Because I was going to say I
19 think we're getting the cart before the horse here.

20 MEMBER HAMWAY: Let's just wait until tomorrow.
21 Right. Exactly.

22 CHMN KATZ: Yeah. Right. Let's wait till
23 tomorrow.

24 And it's mainly just to give Jim and Mary an
25 opportunity to work with Daniel who's going to do the

1 drafting.

2 And who's the legislator we're working with?

3 MEMBER FRENCH: Representative Griffin.

4 MEMBER HAMWAY: Representative Griffin.

5 CHMN KATZ: Representative Griffin?

6 MEMBER FRENCH: Yes.

7 CHMN KATZ: So I don't know how it comes out,
8 but I think the Committee is going to want to have a
9 follow-up meeting. I think we just want to hear what
10 Mary and Jim have to say. And if there are members of
11 the public present from the utility companies, from the
12 general public, and the like, we'll hear from them and
13 we'll move on. But this is no --

14 MEMBER GRINNELL: Just one more quick question.
15 Is the person that is going to -- I hate to see you go,
16 but the person who is going to take your spot, is he or
17 she going to be -- have been appointed or going to be
18 available as part of this?

19 Because unfortunately with the legislature, I
20 think the new chairperson probably should be engaged
21 somehow, and maybe you can talk with Attorney General
22 Mayes and figure out if we can get somebody from there
23 to -- and also somebody from Corporation Commission's
24 Staff.

25 CHMN KATZ: Okay. Just so you know, I've been

1 pushing for about three months to get somebody appointed.
2 But because of the election it's up to -- by statute up
3 to the Attorney General to appoint my successor.

4 And Vanessa Hickman, who used to be the land
5 Commissioner, is now heading the state government
6 division of our office. And this is a top priority. And
7 she's been working with Kris Mayes on it.

8 And it was also asked for Bill Mundell who's a
9 former Corporation Commissioner's input, and I won't
10 spread any rumors. But my successor has not been
11 appointed. And I've expressed the urgency of doing that
12 because there's a hearing February 27. I retire on the
13 28th. I have all my paperwork in to get Medicare part B,
14 and the like, and I submitted everything formal to start
15 withdrawing my retirement. So I'm not going to be at
16 that hearing on the 27th.

17 And I would like over the next two hearings my
18 successor to be appointed so that he or she can learn
19 what they need to do, and Todd's willing to stay on.

20 MEMBER GRINNELL: I agree. All right. Well,
21 thank you all, and we'll see you tomorrow.

22 CHMN KATZ: Okay. We do stand in recess, and I
23 appreciate --

24 MR. DERSTINE: Mr. Chairman --

25 CHMN KATZ: Yes.

1 MR. DERSTINE: I think this gentleman is here
2 public comment.

3 CHMN KATZ: Are you here for public comment?

4 MR. HU: I'm just coming here to meet you. I'm
5 a -- I saw the flyer, so --

6 CHMN KATZ: Well, this is if you had any support
7 or opposition to the plan, we would give you an
8 opportunity to speak. If not, we're done for the night
9 because no other members of the public have shown up in
10 person or on computer.

11 MR. HU: Oh, I'm supporting for the project.

12 CHMN KATZ: Do you want to just make a brief
13 comment at the microphone, identify who you are and that
14 you support the project?

15 MR. HU: My name is Michael Hu. I'm from
16 Chandler, Arizona at 945 East Prescott Place, Chandler
17 85249.

18 I do support the project. I think we have so
19 much land here, and we should put them into use. And
20 this is a good use of the land.

21 And we have so many new people coming to town,
22 and I just don't want to see more either the coal burning
23 or those things just keep on producing the electricity.
24 And I support the project. That's it. Thank you, guys.

25 CHMN KATZ: Thank you very much for taking time

1 off of your busy day and driving down here from Chandler,
2 and we appreciate you.

3 MR. HU: Yes.

4 CHMN KATZ: And the meeting will go on -- our
5 deliberations to approve or disapprove the project will
6 take place tomorrow, but I think most of us are in
7 support as long as the right conditions are set forth.

8 MR. HU: Okay. Thank you all. Thank you.

9 CHMN KATZ: Yeah. We're meeting tomorrow at
10 10 o'clock if you want to join us either by computer or
11 in person.

12 MR. HU: Okay.

13 CHMN KATZ: Okay. Thank you.

14 I don't think we have anybody else present, so
15 we do stand in recess till 10 tomorrow.

16 (The hearing recessed at 5:47 p.m.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA)

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15 Dated at Phoenix, Arizona, this 19th day of January,
16 2023.

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