

1 BEFORE THE ARIZONA POWER PLANT AND
2 TRANSMISSION LINE SITING COMMITTEE

3
4 IN THE MATTER OF THE)
APPLICATION OF UNS ELECTRIC,) DOCKET NO.
5 INC. AND ITS ASSIGNEES, IN) L-00000F-21-0050-00188
CONFORMANCE WITH THE)
6 REQUIREMENTS OF A.R.S.) LS CASE NO. 188
§ 40-360, et seq., FOR A)
7 CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AUTHORIZING)
8 THE GOLDEN VALLEY 230 KILOVOLT)
(KV) TRANSMISSION LINE)
9 PROJECT, WHICH INCLUDES THE)
CONSTRUCTION OF A NEW 230 KV)
10 TRANSMISSION LINE ORIGINATING)
NEAR THE INTERSECTION OF)
11 INTERSTATE 40 AND SHINARUMP)
DRIVE (TOWNSHIP 20 NORTH,)
12 RANGE 17 WEST, SECTION 4) AND)
TERMINATING NEAR U.S. HIGHWAY)
13 93 AND MINERAL PARK ROAD AT)
THE PLANNED MINERAL PARK)
14 SUBSTATION (TOWNSHIP 22 NORTH,)
RANGE 18 WEST, SECTION 3),) PREHEARING
15 MOHAVE COUNTY, ARIZONA.) CONFERENCE
_____)
16

17 At: Phoenix, Arizona
Date: April 19, 2021
18 Filed: April 22, 2021

19 REPORTER'S TRANSCRIPT OF PROCEEDINGS

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before
3 the Arizona Power Plant and Transmission Line Siting
4 Committee in Phoenix, Arizona, commencing at 2:02 p.m.
5 on the 19th of April, 2021, with all participants
6 appearing via videoconference.

7

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BEFORE: THOMAS K. CHENAL, Chairman

9

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APPEARANCES:

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For the Applicant:

12

Snell & Wilmer, L.L.P.

13

Mr. J. Matthew Derstine

One Arizona Center

14

400 East Van Buren Street, Suite 1900

Phoenix, Arizona 85004

15

16 INTERESTED PARTIES:

17 Mr. Patrick J. Cunningham, Cunningham Family

18

ALSO PRESENT:

19

Mr. Eric Raatz, UNS Electric

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Mr. Ed Beck, UNS Electric

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Mr. Tod Brewer, Assistant to Chairman Chenal

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1 CHMN. CHENAL: This is the time set for the
2 prehearing conference for CEC 188, which we have
3 referred to as the UNSE Golden Valley project.

4 May we have appearances, please.

5 MR. DERSTINE: Good afternoon. Matt Derstine
6 of Snell & Wilmer appearing on behalf of UNS Electric,
7 the applicant.

8 MR. CUNNINGHAM: And Patrick Cunningham. We
9 filed a notice of the Cunningham family limited
10 appearance, so I'm representing the Cunningham family.

11 CHMN. CHENAL: Are you -- Mr. Cunningham, I
12 do have your statement and it's being sent to the
13 Members of the Committee. Let me ask you: Are you an
14 attorney?

15 MR. CUNNINGHAM: I am an attorney.

16 CHMN. CHENAL: Authorized to practice in
17 Arizona?

18 MR. CUNNINGHAM: Authorized to practice in
19 Arizona. And on the limited statement you'll see my
20 bar number and the official name of my law practice,
21 which is uninspiring. It's the Law Office of Patrick
22 J. Cunningham, LLC.

23 CHMN. CHENAL: That works. Very good. I'm
24 sorry. I read that, but I didn't study -- I didn't
25 notice that. But as we have had in the past, we've had

1 parties attempting to represent -- individuals
2 representing parties, we've had some difficulties in
3 the past and we've had to insist that they be
4 represented by attorneys or that they enter an
5 appearance on their own behalf. But since you are an
6 attorney, you are certainly authorized to represent the
7 Cunningham family.

8 MR. CUNNINGHAM: And Mr. Chairman, you're
9 wise to check with that, because I remember when I was
10 at the Attorney General's Office there was lots of
11 folks who would file, in the darnedest proceedings,
12 claiming to be sovereign citizens and other things.

13 CHMN. CHENAL: Well, you'll be happy to know
14 those people are still with us.

15 Okay. Very good. I have kind of a checklist
16 of items that are similar to the checklist that we've
17 used in other cases. And we've met a number of times
18 on this case, so I don't think there's going to be any
19 surprises. And I've entered the procedural order,
20 which is consistent with procedural orders we've had in
21 the past.

22 Just for clarification, Mr. Cunningham, you
23 have -- you have submitted a written statement, but are
24 you asking -- are you asking to intervene in this
25 proceeding? Because that's a separate matter.

1 MR. CUNNINGHAM: We are not. I've been in
2 touch with Matt and his wonderful team and we've
3 discussed that, and the Cunningham family doesn't see a
4 need to intervene as a party. We think a limited
5 appearance is adequate, and then we'll have public
6 comment from a variety of folks during your open public
7 comment period. But no, we are not seeking to
8 intervene as a party.

9 CHMN. CHENAL: Okay, very good.

10 All right. So let's just go through my
11 checklist, and then, Mr. Derstine, if you or anyone
12 else -- at the end, of course, we'll discuss any
13 follow-up items that I've missed or we should discuss.

14 First, I know we have lodging that's been
15 arranged at the Hampton Inn, I want to say, in Kingman.
16 And that's going to be paid directly by the applicant,
17 is that correct?

18 MR. DERSTINE: That's correct.

19 I think we have an update on the number of
20 folks who have -- among the Committee who have made
21 reservations. Eric, do you have an update on those
22 numbers?

23 MR. RAATZ: Yeah, thank you.

24 Mr. Chairman, we have six that will be
25 attending in person and I believe five that have made

1 reservations to date, and they are yourself,
2 Mr. Chenal, Mr. Haenichen, Hamway, and Mr. Palmer. And
3 I'm not sure who the outstanding Committee Member is
4 that needs to make their reservation still.

5 CHMN. CHENAL: Well, I'm sure Tod will follow
6 up and remind everyone to make their reservations.

7 And your understanding is who's going to
8 appear remotely or by video from the Committee?

9 MR. DERSTINE: I don't know that we've
10 received that information. Tod may know better than we
11 do in terms of who will appear virtually.

12 CHMN. CHENAL: Tod, do you know?

13 MR. BREWER: I do, Mr. Chairman. Let me pull
14 up that list for you.

15 We have Member Riggins, Mr. Gentles, and
16 Mr. Branum. I also believe that the new Committee
17 Member, Mr. Grinnell, is going to be appearing
18 virtually as well.

19 CHMN. CHENAL: All right. Very good.

20 I received the COVID policy procedure, and I
21 think it's very adequate. I don't really have any
22 additional items to add to it. It seemed very
23 complete. I do think we should have temperature
24 readings and ask the standard questions of people
25 entering the hearing room. I know that was one of the

1 items on the protocol, I guess is the correct word, at
2 the Chairman's direction, but I think we should
3 definitely get the temperatures and ask the standard
4 COVID questions of anyone entering the conference room.

5 I guess we had a previous case where someone
6 had been exposed to someone with COVID, and we had to
7 discuss how we were going to handle that. I know
8 that's kind of left open in the protocol. I guess we
9 just take that as it comes, if that were to happen, and
10 just try to limit it. I guess part of the question is
11 UNSE may have their own policies in place; I don't
12 know. I think TEP had -- if I remember, that was a TEP
13 case, and they had certain policies in place. We were
14 allowed to proceed with the hearing, and we did, we
15 completed it.

16 I'm pretty open to -- if we start the
17 hearing, I'd sure like to find a way to finish it. I
18 guess that's my preference. And it would have to be
19 something pretty severe for us, I think, to knock us
20 off track even if something like that were to occur,
21 but I guess we'll just have to deal with that as it
22 comes.

23 I don't know, Mr. Derstine, if you have any
24 additional thoughts to add to that.

25 MR. DERSTINE: No, I think you're exactly

1 right. I think our job is to, if we learn of someone
2 who has been in the hearing room who subsequently tests
3 positive, to certainly inform you and the Members of
4 the Committee as soon as we have that information.
5 Then I think it's up to the Committee to decide how it
6 wants to proceed, as you did in that last case.

7 I think there are some internal guidelines
8 and rules that company employees would have to follow,
9 but I think unlike that last case, where we had to lose
10 some people immediately out of the hearing room, I
11 think we've anticipated that and we'll be in a better
12 position to deal with those issues.

13 But beyond that, I don't think there's
14 anything to add. I think we leave it up to you and the
15 Committee to decide how you want to proceed, and
16 hopefully we don't get there.

17 CHMN. CHENAL: Okay. I'm in agreement with
18 that.

19 All right. Are you aware of any -- is the
20 applicant aware of any intervenors, parties who wish to
21 intervene?

22 MR. DERSTINE: No.

23 CHMN. CHENAL: You know, they should have by
24 now, but I guess there's always the possibility someone
25 will come out of the woodwork.

1 We have the statement from the Cunningham
2 family.

3 MR. DERSTINE: Yes. And on the Cunningham
4 limited appearance, Mr. Chairman, do you want us to
5 mark that as a Chairman's exhibit for purposes of
6 identification? Do you want it to be a UNSE exhibit?

7 CHMN. CHENAL: Let's make it a Chairman's
8 exhibit, if you would be so kind as to have some extra
9 copies. I've asked Tod, but it would be more efficient
10 if you would be able to do it.

11 And the other standard exhibit that I like to
12 have is the letter that we get back from the
13 Corporation Commission, which I always send, and to my
14 knowledge we have not received a response yet. But if
15 that comes in, I'll have copies and that will be
16 another Chairman's exhibit.

17 MR. DERSTINE: Okay. The Staff did just
18 issue its letter last week, and we'll mark it as a
19 Chairman's exhibit, make sure it's available.

20 CHMN. CHENAL: Okay. Good. The problem with
21 me being in Sedona last week is all this stuff was -- I
22 don't know, the vortices kind of kept it from getting
23 into the brain cells. So if we've got that letter,
24 great. If you'd make that -- that will be Exhibit
25 Number 2, I guess, and that will be fine.

1 MR. DERSTINE: All right.

2 CHMN. CHENAL: Notice to affected
3 jurisdictions. I have to apologize a little.
4 Normally I would have been back in my office and we
5 would have -- I would have gotten the hearing notebook.
6 And Tod is very good about putting all this stuff
7 together, but I don't have that with me. So I just
8 want to make sure that the notice to affected
9 jurisdictions has been sent and who those
10 jurisdictions -- which jurisdictions those are,
11 Mr. Derstine.

12 MR. DERSTINE: The notice did go out, and I
13 believe that in our exhibits we have evidence of the
14 return receipt to all those. I'm working by memory,
15 and so Mr. Beck or Mr. Raatz will add if I'm missing
16 something, but I think the affected jurisdictions are
17 Mohave County, City of Kingman, and, although not
18 technically jurisdictions, Bureau of Land Management,
19 Arizona State Land Department.

20 And who am I missing, Ed, Eric?

21 MR. RAATZ: I think that covered it.

22 MR. BECK: I think you covered it, Matt.

23 CHMN. CHENAL: That was my recollection from
24 what we had discussed previously.

25 All right. The notice of hearing. I assume

1 there will be evidence presented of the posting and the
2 publishing, the posting is in compliance with the
3 statutes -- the publishing is in compliance with the
4 statutes and the posting is consistent with what we
5 discussed at our prefiling conference?

6 MR. DERSTINE: Yes. The applicant's exhibits
7 include the tear sheets and evidence of the publication
8 on two dates, as well as the posting of the signs along
9 the route and the locations that we had previously
10 addressed with the Chairman. There will be a map and
11 photographic evidence of the posting of the signs.

12 CHMN. CHENAL: Very good. And the agenda.
13 Any additions, thoughts, changes to the agenda that's
14 been filed?

15 MR. DERSTINE: No.

16 CHMN. CHENAL: We're going through this
17 pretty quickly; that's good. We've been through this
18 drill before.

19 The hearing. What's your -- the
20 million-dollar question. How much time do you think
21 you're going to need for the hearing?

22 MR. DERSTINE: Well, you know, I am --

23 CHMN. CHENAL: Why don't you say two weeks,
24 and it will be within two weeks and you'll be the first
25 attorney that's got it right.

1 MR. DERSTINE: Well, maybe I should just go
2 with that answer then.

3 CHMN. CHENAL: No.

4 MR. DERSTINE: I'm rarely right, so I'd like
5 to take a win.

6 I've told my wife that I'm optimistic that
7 we'll be done that first week and that I'll be home.
8 But with your good counsel and advice, the hearing has
9 been noticed into the following week; and so if we need
10 additional time, we have it. It's properly noticed. I
11 think the hotel rooms accommodate Committee Members or
12 other members of the applicant's side who desire or
13 need to simply stay in Kingman over that weekend if we
14 get that far, but I am optimistic that we will conclude
15 by Friday.

16 CHMN. CHENAL: It's 17, 18 miles. There's no
17 intervention -- intervening parties. I know that there
18 will be discussion on the position of the Cunningham
19 family regarding the routing issues that they've
20 raised. We're not going to have a tour. Well, we'll
21 talk about that. We'll talk about that. But yeah, I
22 mean, if we start Monday afternoon --

23 Again, my preference always is we start fresh
24 in the morning when we begin deliberations, unless it's
25 10:00 or 11:00 in the morning and we finish the

1 presentation of the case and we have the closing
2 arguments. But, you know, I'm batting zero when it
3 comes to having deliberations start in the afternoon
4 and having it end the way I'd like it to end. I'd much
5 prefer that we start the deliberations the next
6 morning, so -- I mean, I think we're all on the same
7 page on that.

8 So Thursday or Friday; if we have to stay
9 over, we'll stay over.

10 MR. CUNNINGHAM: And the only thing I would
11 add to that, Mr. Chairman, is that I expect that the
12 public comment period is where you'll hear from some
13 different parties.

14 So I expect on Monday afternoon, when you
15 start it at 5:30, that you'll hear from KYET and the
16 Hart Family. I think Trish Hart is going to provide
17 public comment and maybe a new letter, maybe just her
18 old letter. And then Cameron Broadcasting has a new
19 letter that's included in our materials, but I expect
20 they will give short public comment and provide their
21 letter. Then I expect the City of Kingman and Mohave
22 County will do something. They'll probably just submit
23 a letter to you then without testimony -- or, speaking,
24 precisely, without public comment.

25 So those are the four parties that I know

1 that care about this, and I expect that they will show
2 up in the public comment period on that Monday
3 afternoon at 5:30. And I know your standard order says
4 you could take public comment on other days, but I
5 suspect those folks will show up and get it all done on
6 Monday afternoon.

7 CHMN. CHENAL: And just so there's no
8 surprises -- and thank you, Mr. Cunningham. We really
9 do -- we do appreciate the public comment and
10 statements such as you submitted. Do you know if at
11 least Mohave County and the City of Kingman have --
12 what their position might be in terms of for or against
13 the project or particular route?

14 MR. CUNNINGHAM: Yes. Yes, just based on the
15 public record. The board of supervisors this morning
16 met and approved a letter that favors West Number 1 or
17 West Number 2. It's a simple one-page letter. I
18 expect that's what they'll turn in. That was a 5-to-0
19 vote.

20 The City of Kingman sent a letter long ago
21 favoring the west routes -- I honestly don't know, Matt
22 and your team, how old that letter is, but it said it
23 was the very beginning of the process -- and what
24 they've told me is they expect to send a similar
25 letter. And I have not -- I have not checked to see

1 this morning if they've got anything on their agenda or
2 whether they think it's covered under their previous
3 agenda item. Their previous letter, I believe, favored
4 the west routes without any detail.

5 CHMN. CHENAL: All right. Thank you.

6 MR. CUNNINGHAM: They didn't pick West 1, 2,
7 3, or 4, as I recall. But again, we should get a fresh
8 letter from them, as I understand it.

9 CHMN. CHENAL: All right. Good. I'm only
10 asking just to have a better idea going into the
11 hearing what positions the jurisdictions might be
12 taking.

13 Okay. We'll have the standard sign-in forms
14 for public comment, Mr. Derstine, just as we always
15 have?

16 MR. DERSTINE: We will. The hearing room
17 arrangements are -- the Hampton Inn does not have the
18 same number of hearing rooms or banquet rooms as we
19 have, say, at the Doubletree in Tucson or the
20 facilities that we had up in Flagstaff for the
21 Hashknife hearing last year. So we're having to try to
22 utilize what they have in order to have a separate area
23 for the public to use a computer terminal and make
24 public comment, while at the same time -- I think, you
25 know, as long as we can do it within the guidelines and

1 terms of keeping our numbers under the cap for the
2 hearing room, I think they'll be permitted to come into
3 the actual hearing room and provide comment. But I
4 think, as indicated in the notice of hearing, our
5 preference is to have folks appear virtually, if they
6 can, to utilize the opportunity to appear virtually,
7 whether it's from their home or whether it's using a
8 terminal at the hotel. So we're using our best efforts
9 to make it as easy as possible.

10 CHMN. CHENAL: I don't see any need for
11 security. That's a standard question.

12 MR. DERSTINE: We don't either. You know,
13 the Cunningham family has been super gracious and
14 accommodating and helpful in terms of this process, and
15 my anticipation is that the rest of the residents of
16 Kingman are as welcoming and friendly as the
17 Cunninghams are, and Patrick Cunningham in particular.
18 So we're not anticipating any need for security.

19 MR. CUNNINGHAM: Mr. Chairman, we're going to
20 work real hard to live up to that.

21 CHMN. CHENAL: That's a pretty high bar.

22 MR. CUNNINGHAM: I agree. Mohave County has
23 had some spirited public meetings in the past, but it
24 was not about line siting. It might have been about
25 masks, might have been about illegal immigration,

1 neither of which is on our agenda.

2 CHMN. CHENAL: Yes, that's right.

3 MR. CUNNINGHAM: And I really haven't heard
4 of -- just to speak seriously for a moment, I have not
5 heard of residents who are coming to testify, whether
6 that be on the west route in Golden Valley or the east
7 route in Kingman, but again, one never knows.

8 CHMN. CHENAL: Okay. Well, we will welcome
9 the comment whenever it is. And as the applicant
10 knows, I try to make allowances for people to take
11 public comment out of order just for their convenience.
12 If they feel strongly enough to come down and give the
13 comment, we want to hear it.

14 All right. The tour. Again, I think we
15 discussed this at the prefiling meeting that there
16 would not be a tour, per se, a physical tour, but there
17 would be a more robust Google flyover. Is that still
18 the thinking of the applicant?

19 MR. DERSTINE: Yes. We have a -- I think
20 Transcon, working with Mr. Raatz and Mr. Beck, have
21 done a nice job in putting together a flyover
22 simulation. I think it's based on the Goggle Earth
23 program or format. And in addition, we have some other
24 opportunities to provide some simulations, photographic
25 simulations, as well as I think even some drone

1 photography. So I think the Committee will be able to
2 get a pretty good sense of the routes, the route
3 alternatives, and where these lines will be on the
4 ground. So I think you'll be pleased with what you
5 see.

6 CHMN. CHENAL: Very good. We'll have our
7 breaks every 90 minutes.

8 We always like to have robust WiFi, the best
9 that the Hampton Inn can offer, right. Not the guest
10 WiFi where the thing goes around for five minutes when
11 you try to get Yahoo News to come up, but a good,
12 strong WiFi.

13 Any other issues we should talk about, about
14 the logistics of the hearing, the facilities, anything
15 like that?

16 Oh, let's talk about food. What do you
17 envision in terms of food for the Committee? I think
18 we generally like to have dinner on our own, so we're
19 talking about maybe breakfast and lunch. What's your
20 thinking?

21 MR. DERSTINE: I think as we had done --
22 well, certainly for Flagstaff, Hashknife, and I think
23 we did the same for the Vail to Tortolita, the Tucson
24 hearing at the end of last year, we're going to have a
25 meal available Monday evening since we're holding over

1 for public comment. Committee Members can partake or
2 not and go off afterwards. The rest of the time we'll
3 be providing breakfast and lunch. And we're using all
4 of the finest culinary and restaurant and catering
5 establishments in Kingman, so we will have food to
6 offer, and I think we're making sure that we have
7 quality chocolate chip cookies for Member Haenichen at
8 the breaks.

9 CHMN. CHENAL: It's on the checklist here.
10 If you want to lose a vote, don't have chocolate chip
11 cookies.

12 MR. DERSTINE: That's right.

13 CHMN. CHENAL: The procedural order has been
14 complied with. There's no other parties to exchange,
15 you know, exhibits with, but what about the witness
16 summaries? I don't know that I've seen those, but when
17 will those be filed?

18 MR. DERSTINE: So we made a filing on Friday
19 that included our witness summaries, the draft proposed
20 CEC. I sent a Word version of that document on to Tod
21 over the weekend.

22 CHMN. CHENAL: I have that.

23 MR. DERSTINE: Okay. And in addition,
24 there's a number of other exhibits; I think there's 46
25 in total. Most of them, you know, cover the issues of

1 the affidavit of publication, the posting, notice to
2 affected jurisdictions. Those things that you've
3 already ticked off on your agenda, we'll cover those or
4 include it in the exhibit filing.

5 And then there's correspondence that frankly
6 goes largely to some of the issues that the Cunninghams
7 have raised in their limited appearance. It's largely
8 correspondence with the two radio stations and the
9 Cunninghams, the comments that they filed. We just
10 thought it was important for the record to pull those
11 out. We have included the spreadsheet that compiles
12 all of the comments, as required by your procedural
13 order, but we thought -- given the limited appearance
14 of the Cunninghams and the concerns they have with the
15 project, we pulled out some of the correspondence that
16 goes to that.

17 And I'll share those exhibits. The paper
18 filing was made on Friday. I don't have the electronic
19 version. I think we committed to you that we would
20 have to your office and to Tod an electronic version of
21 all of our filings by Thursday so you could share those
22 with the Members of the Committee who are going to
23 appear virtually. I'll copy Mr. Cunningham on that,
24 and I've offered to send him a copy of the paper filing
25 if he wants that sooner.

1 CHMN. CHENAL: Perfect. Thursday works. I
2 just like to review the witness summaries prior to the
3 hearing, I do that in every case, and actually look at
4 the exhibits.

5 MR. DERSTINE: And I wanted to make a note.
6 So the witness summaries cover four witnesses. One of
7 our witnesses, George Miller of Transcon, he's
8 encountered some health issues, he will not be
9 participating in the hearing. I think that's from the
10 latest information I heard this morning. So it may be
11 that our witness panel -- and we've identified that
12 we're going to call our witnesses as a panel. So
13 either -- it's possible that Mr. Miller will not
14 participate. Again, the latest information that I have
15 is that he probably will not. But the other witness
16 summaries are there with our larger filing.

17 CHMN. CHENAL: All right. I mean, he could
18 appear -- if his health permitted, he'd be certainly
19 permitted to appear by video. That's certainly an
20 option, if that helps.

21 MR. DERSTINE: I appreciate that.

22 CHMN. CHENAL: Any legal issues or any other
23 matters regarding the hearing itself or witnesses or
24 panels?

25 MR. DERSTINE: I don't think so.

1 CHMN. CHENAL: I always ask the question, but
2 I'm sure in this case it's been met. UNSE has met with
3 or has agreed to cover all the costs associated with
4 this hearing with the Corporation Commission?

5 MR. DERSTINE: Yes.

6 CHMN. CHENAL: Mr. Derstine, do you know if
7 the Corporation Commission has any preference in this
8 case as to any routes?

9 MR. DERSTINE: Not that I know of. Staff's
10 letter doesn't address routes or route alternatives; it
11 goes largely to the need and reliability impacts of the
12 project. So I don't think -- based on Staff's letter,
13 I don't think the Commission has any opinion on routes.
14 That's not to say that when we get to Open Meeting that
15 one or more Commissioners may have an opinion. But
16 based on what I know today, there is none.

17 CHMN. CHENAL: Okay. I looked briefly at the
18 CEC; it seems to have the standard provisions in it. I
19 may have some changes. I think they would be minor.
20 They wouldn't be anything that would surprise you.

21 What's the status of permits in terms -- for
22 this project, of getting it finally fully authorized to
23 commence?

24 MR. DERSTINE: So the project has gone
25 through a long NEPA process. It started in 2007, then

1 was put on hold or essentially halted -- federal
2 permitting was halted for a period of time, roughly
3 from 2008, 2009, up until about 2016. And then the
4 scoping proceeded, 2016 until the issuance of the
5 draft EA, which I believe was in August of last year.

6 So we are at the point of having a draft EA.
7 That put us in a position of moving forward with this
8 CEC application. We would anticipate the final FONSI
9 or Record of Decision on the EA at the conclusion of
10 this hearing.

11 CHMN. CHENAL: Any county or city permits,
12 general plan amendments required?

13 MR. DERSTINE: I think the only local permit
14 will be as to the planned Mineral Park Substation at
15 the western end of the project. That will go through
16 whatever sort of special exception land use or
17 permitting is required for the substation.

18 CHMN. CHENAL: Okay. And will there be iPads
19 or Surface Pros or some sort of laptop for the
20 Committee Members with the witness statements and
21 documents, exhibits preloaded?

22 MR. DERSTINE: Yes. So our plan is to have
23 all of the -- the iPad will contain the application,
24 the various exhibits that were filed, as well as any
25 additional exhibits that come about between now and the

1 date of the hearing. And what else is going to be on
2 the iPad? I think exhibits -- Mr. Cunningham's limited
3 appearance will be included on the iPad, and then the
4 Chairman's exhibits will be included on the iPad.

5 And then for Committee Members we'll be using
6 a -- we have laptops. I don't know the brand or make
7 of the hardware that we're using, but we will have --
8 so the iPads will be used as the reference materials,
9 exhibits, PowerPoint slides, et cetera, and then the
10 terminals will be utilized to allow the virtual
11 hearing -- for Members to see the Members of the
12 Committee and for Members of the Committee to see who's
13 appearing virtually.

14 CHMN. CHENAL: Will there also be screens up
15 to show that as well?

16 MR. DERSTINE: Yeah. I think we -- we
17 haven't -- we have another meeting scheduled with our
18 AV contractor. It's going to be the same company that
19 you used for the Hashknife hearing in Flagstaff. I
20 thought they did a nice job.

21 CHMN. CHENAL: They did a good job.

22 MR. DERSTINE: And we anticipate having
23 monitors available that you can see the Members of your
24 Committee who are going to be appearing virtually as
25 well.

1 CHMN. CHENAL: Sounds good. They did a good
2 job.

3 MR. CUNNINGHAM: Mr. Chairman, back on the
4 CEC, our real interest on the CEC, should the east line
5 be chosen, is to just work out some language on roads
6 and access and our ability to use those roads. We've
7 talked to Matt about that already. And so that -- we
8 would tweak your Paragraph, I think, 22, 23 a little
9 bit if the east line is chosen by the Committee. And
10 I'll try to work out some language and send that to
11 Matt to see if we could come to an agreement on that.

12 And then on the permits, on the Mineral Park
13 Substation, Matt, is that going to be a special use
14 permit from Mohave County? Is that what will be
15 required to build that?

16 MR. RAATZ: If I may, it's an industrial use
17 permit for both the Mineral Park Substation, as well as
18 the expansion of the substation at the point of
19 interconnection on the southern portion of the project.

20 MR. CUNNINGHAM: And on the southern portion
21 it starts at the substation that's owned by Nucor
22 Steel, is that right?

23 MR. RAATZ: Well, we are currently in
24 negotiations with the owners of Nucor Steel requesting
25 ability to interconnect into their substation. But we

1 have crafted the CEC to allow points of interconnection
2 either at the Nucor Substation or at the McConnico --
3 the Western Area Power Administration-owned McConnico
4 Substation, which is about a half a mile directly south
5 of the Nucor Substation.

6 MR. CUNNINGHAM: Right. But either way, the
7 county permitting would be a special -- industrial use
8 permit?

9 MR. RAATZ: That's correct.

10 MR. CUNNINGHAM: Okay, that's perfect.

11 And Mr. Chairman, I should take this
12 opportunity to say that Unisource and Transcon have
13 been more than gracious in this long process. I
14 believe we met with Mr. Warner for the first time in
15 December of 2008 and they again walked our property.
16 And the reason you didn't hear us ask for a tour is I
17 don't think anybody on the Committee wants to tour the
18 slopes that we went up and down about two weeks ago.
19 Although it's a great hike, it's probably not --

20 CHMN. CHENAL: Well, you'd be surprised. Our
21 Committees have gone to some really crazy places on the
22 tours. The only reason we're not doing a tour is
23 because of COVID, but I can tell you that it's almost
24 the unanimous desire of the Committee to get out and
25 hike and walk and see these tours. The only reason

1 we're not doing it is because of COVID, and it just
2 makes it much more complicated. But for that, we would
3 be doing it.

4 And let me also -- Mr. Cunningham, when you
5 give your public comment, you might bring up the issue
6 of alternative language that you're going to be
7 submitting so we have it in the record at least.
8 Because you're not a party, and technically at the
9 deliberation stage there could be an objection if
10 someone not a party to the proceeding is involved in
11 the deliberative stage where we actually go through and
12 craft the language at the end. So let's get your
13 language, you know, even if it's in a written format,
14 kind of in the record at the time of the public
15 comment, understanding that it's in the alternative.

16 MR. CUNNINGHAM: Absolutely. Pleased to do
17 that and make sure we keep a good record.

18 CHMN. CHENAL: Yes. Very good.

19 All right. I think that covers everything
20 that I wanted to cover. I'm looking forward to the
21 hearing. I'm looking forward to the project. I would
22 have guessed this was a four-day hearing, but we'll
23 see. We'll see.

24 MR. DERSTINE: We'll see.

25 CHMN. CHENAL: I'm looking forward to it, and

1 I know the Committee is too. We've never had one -- at
2 least when I've been associated, we haven't had one up
3 in the Kingman area, and I'm looking forward to it. So
4 again, if something comes up this week, I'm here. I'll
5 probably be driving up Sunday. I like to get up the
6 day before the hearing to avoid any problems en route.
7 And we'll start at 1:00 p.m. on Monday and we'll have
8 the public comment session in the evening, 5:30 I think
9 is what the notice of hearing says. All right. So
10 thank you.

11 And because Tucson Electric is associated
12 with this in some capacity, I noticed that the
13 application doesn't cover the substations.

14 MR. DERSTINE: Of course. Substations aren't
15 part of our siting application, that's right.

16 CHMN. CHENAL: I know. It's just funny that
17 the applicant's attorney, I thought, very recently in
18 another matter was talking about the substations as
19 being part of another application, but maybe I'm
20 mistaken.

21 MR. DERSTINE: Yeah. That's another client,
22 another set of facts, entirely different situation.

23 CHMN. CHENAL: We're kidding.

24 Anything else that we should talk about
25 before we adjourn?

1 MR. CUNNINGHAM: I'd like to express my shock
2 that certain utilities don't always agree.

3 CHMN. CHENAL: Yeah. Well, they don't.

4 All right. Well, we'll see you,
5 Mr. Cunningham. Are you a resident -- do you live in
6 Kingman or are you down here in the Valley?

7 MR. CUNNINGHAM: I live in Scottsdale. My
8 brother and cousin live in Kingman, but I live down
9 here. So we'll see you at the wonderful Hampton Inn.
10 And Mr. Chairman, and all the rest of you, thank you
11 for extending the courtesy to my family.

12 CHMN. CHENAL: You bet.

13 Okay, everyone, if there's nothing else, then
14 we'll adjourn, and I'll see you up in Kingman.

15 (The prehearing conference concluded at
16 2:41 p.m.)

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1 STATE OF ARIZONA)

2 COUNTY OF MARICOPA)

3

4 BE IT KNOWN that the foregoing proceedings
5 were taken before me; that the foregoing pages are a
6 full, true, and accurate record of the proceedings all
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14 ethical obligations set forth in ACJA 7-206(F)(3) and
15 ACJA 7-206 J(1)(g)(1) and (2). Dated at Phoenix,
16 Arizona, this 20th day of April, 2021.

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KATHRYN A. BLACKWELDER
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