

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),)
15 MOHAVE COUNTY, ARIZONA)
_____)

16
17 At: Kingman, Arizona
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19 REPORTER'S TRANSCRIPT OF PROCEEDINGS

20 VOLUME II
(Pages 170 through 400)

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14 UNSE-19 E-mail dated August 27, 2019 from Andy Whitefield to Donald Jaeger re proceeding with project 227 --

15 UNSE-29 E-mail dated June 24, 2016 from Carol Cunningham Fuerstenber to Andy Whitefield re opposing eastern route 303 --

16 UNSE-32 E-mail dated July 20, 2016 from Lucy Hackley to Andy Whitefield re comments on proposed eastern route 306 --

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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 at Hampton Inn & Suites, 1791 Sycamore
5 Avenue, Kingman, Arizona, commencing at 9:22 a.m. on
6 the 27th of April, 2021.

7

8

BEFORE: THOMAS K. CHENAL, Chairman

9

MARY HAMWAY, Cities and Towns
10 JACK HAENICHEN, Public Member
JIM PALMER, Agriculture
11 PATRICIA NOLAND, Public Member
RICK GRINNELL, Counties
12 LEONARD DRAGO, Department of Environmental Quality
JOHN RIGGINS, Arizona Department of Water Resources
13 (Videoconference)
KARL GENTLES, Public Member (Videoconference)
14 ZACHARY BRANUM, Arizona Corporation Commission
(Videoconference)

15

16

APPEARANCES:

17

For the Applicant:

18

Snell & Wilmer, L.L.P.
19 Mr. J. Matthew Derstine
One Arizona Center
20 400 East Van Buren Street, Suite 1900
Phoenix, Arizona 85004

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22

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1 CHMN. CHENAL: Good morning, everyone. This
2 is the time set to resume the hearing on CEC 188. I
3 see the parties are here and we're ready to proceed.

4 Any procedural matters we need to discuss,
5 Mr. Derstine, before we turn it over to you to resume
6 your presentation?

7 MR. DERSTINE: No. I'll note for the record
8 Ms. Odisho isn't here. She's out making copies at the
9 local copy center so that those of you who are using a
10 paper set of our witness presentation slides -- there's
11 been some numbering changes, and so just to make sure
12 they match up. So she is working on that at the
13 moment.

14 When she returns, Mr. Cunningham had just
15 asked that we pass out the written public comment that
16 was received last night. We'll do that. I just don't
17 know where it is at the moment. But as soon as she's
18 back and we get our hands on it, we'll pass it out.

19 CHMN. CHENAL: All right. Good. So with
20 that, if you're ready to proceed, Mr. Derstine.

21 MR. DERSTINE: Thank you.

22 Jason, let's go ahead and pull up our slide
23 here.

24 So what we had anticipated starting this
25 morning with was to address the public comment from

1 last night, but I'd open it up. Before we do that,
2 would you prefer that -- we only got through a portion
3 of the flyover. Would you prefer to do some more
4 flying around and looking at routes before we address
5 some of the specific comment issues? What's your
6 pleasure?

7 CHMN. CHENAL: Well, would it be your
8 intention, if you wanted to start with the public
9 comment -- address some of the public comment issues,
10 to then go back to the flyover? Because we didn't see
11 the -- obviously, there's still a lot more to see
12 there.

13 MR. DERSTINE: Right.

14 CHMN. CHENAL: And what we did see was a
15 difficult flight.

16 MR. DERSTINE: Yes, it was a bumpy flight.

17 CHMN. CHENAL: It was turbulent. So we'd
18 like to kind of see that. So your preference is fine.
19 If you'd like to go to the public comment and then come
20 back to the flyover, that's fine.

21 MR. DERSTINE: Let's do that. Thank you.

22

23 ERIC RAATZ, ED BECK, AND MIKE WARNER,
24 called as witnesses on behalf of the Applicant, having
25 been previously sworn en masse by the Chairman to speak

1 the truth and nothing but the truth, were examined and
2 testified as follows:

3

4 CONTINUED DIRECT EXAMINATION

5 BY MR. DERSTINE:

6 Q. Mr. Warner, I was looking at my pad from last
7 evening during the public comment session and I had a
8 lot of scribbles about what's the problem with notice.
9 We had a number of people stand at the lectern or
10 appear virtually from home and indicate they hadn't
11 received notice or they were concerned that a neighbor
12 didn't receive notice. Obviously that's a concern to
13 the applicant, it's a concern to us in terms of our
14 process. And so I talked to you last evening and I
15 said, we need to understand what's happening with
16 notice. So tell us.

17 A. (BY MR. WARNER) Thanks, Mr. Derstine. So
18 the first thing that we did after the hearing is we
19 cross referenced our mailing list with those people
20 that stood at the lectern, and what we discovered is
21 that they -- the addresses they received are on our
22 mailing list and material was sent to them. Whether or
23 not they received it and read it, I can't speak to
24 that, but they are on our mailing list.

25 CHMN. CHENAL: Mr. Warner, what was sent?

1 MR. WARNER: I'm going to go through that.
2 That's my next -- there's a lot, so let me walk through
3 that.

4 So the way the outreach program is designed,
5 I'm going to talk -- we're going to talk more about
6 that in a few minutes when we kind of walk through the
7 land planning stuff. And so we're going to -- you
8 know, we're going to talk about what happened in the
9 first phase of the project, 2006, 2010. And then we're
10 going to talk about the second phase, which is now,
11 that led into these later things. And so I'm going to
12 speak to that second phase primarily, but the first
13 phase had the same ingredients.

14 So in the second phase of the project there
15 are -- there were five newsletters that were sent out.
16 And the way that newsletters are organized is they're
17 punctuated at times that are meaningful to the project,
18 where there's information that's been gleaned through
19 the process of siting and it's ripe to be disseminated.
20 So each time there's a crescendo of activities that
21 occurs as part of that.

22 The first step is to get a list of the
23 property owners within half a mile of the alignment,
24 any alignment that's being considered. So that
25 constitutes about 3,500 people that were on the mailing

1 list as part of that search. Maricopa County
2 Assessor's records are the ones that were used to
3 identify that.

4 BY MR. DERSTINE:

5 Q. Did you say Maricopa County? We'd be way
6 off.

7 A. (BY MR. WARNER) I'm sorry. Yeah, that would
8 be way off. Mohave County. Thanks. 300 million, but
9 thanks for straightening me out.

10 MEMBER HAENICHEN: You're even now.

11 MR. WARNER: Yeah.

12 So those records were refreshed a couple of
13 times during the process because it was a period of
14 time, so I'll walk through that.

15 The first newsletter was sent out in June of
16 2016. During that time, and I'll just talk about the
17 crescendo, there's usually a public release that was
18 circulated and printed in the Daily Miner. There were
19 radio spots that were carried by each of the -- well,
20 the radio towers that were -- that are on our project.
21 And there's a website that was managed by the BLM and
22 by UNS that provided information; the newsletters
23 directed them to that. There was a phone line that was
24 active during this period of time that people could
25 call and receive information and then get a call back.

1 So those were the primary -- the primary ones.

2 And then in addition to that, there were
3 stakeholder meetings. When I talk about the crescendo,
4 each time there was a cycle of activity that would
5 occur and we were disseminating information, then we
6 tried to take time to brief civic leaders or
7 stakeholders prior to the release of the newsletter
8 saying, hey, this is coming. And so that was a normal
9 part of the process as well.

10 In addition to those five meetings -- and
11 some of those meetings -- or, some of those newsletters
12 were actually -- only two of them were posted online.
13 I guess when the BLM took control over a couple of
14 those meetings, and we'll get into this in a little bit
15 more detail later, but they had a slight alignment and
16 they just didn't want to go out with a full news
17 release, but they wanted to sort of track it within
18 their system. So they just posted it on their website,
19 so that was one of the newsletters.

20 When they -- when they were about to release
21 the EA, they also again posted it to their website, but
22 didn't release that newsletter, because they knew that
23 they were going to be sending out a postcard in less
24 than a month that was going to inform everybody that
25 the EA was available.

1 So in addition to those five meetings, there
2 were two postcards that were sent out, and announcing
3 the CEC was again one of those postcards that was
4 disseminated.

5 And so in full, that was seven touches with
6 the direct mailings on that mailing list. So let me
7 pause there and let --

8 BY MR. DERSTINE:

9 Q. Yeah, let me pause you for a minute. When
10 you say "newsletters," are you referring to the fact
11 sheets that I see in the application?

12 A. (BY MR. WARNER) Yeah, thank you. I need to
13 be reminded of the terminology, because sometimes I use
14 those terms interchangeably. And I did mean the fact
15 sheets, yes.

16 Q. So when you said there were -- I think you
17 said five meetings. But you meant there were five fact
18 sheets that went out by mail?

19 A. That's correct. Well, there were -- there
20 were three fact sheets that went out by mail and then
21 there were two others that were just posted to a
22 website.

23 Q. And in addition, then, I heard you say there
24 was a postcard that was used to publicize the release
25 of the EA?

1 A. (BY MR. WARNER) And then there were two
2 postcards that were circulated, one to publicize the EA
3 and then one to publicize this meeting.

4 Q. And how did you know where to mail those?

5 A. (BY MR. WARNER) So again going back to the
6 Mohave County Tax Assessor records, those were pulled.
7 In addition to that, they were updated with anybody
8 that had made contact up to that point and expressed
9 interest in the project. And so those were blended
10 together.

11 CHMN. CHENAL: Excuse me, Mr. Warner.
12 Member Haenichen has a question.

13 MEMBER HAENICHEN: Thank you, Mr. Chairman.

14 I just wanted to get this in before I forget.
15 This is such a problem at all these meetings, I've been
16 at many, many of them, is getting it out there. People
17 will -- no matter how hard you try, people will say,
18 well, I never heard that. And it's a terrific problem;
19 I don't have a solution for it.

20 But I wanted to ask you, Mr. Warner, this
21 question. Earlier you mentioned that you had a phone
22 line set up during the time of these mailings and all.
23 Was it flooded with calls?

24 MR. WARNER: In the early phases of the
25 project there were a lot of people using that. Not

1 recently. It's been just a few calls recently.

2 MEMBER HAENICHEN: Thank you.

3 CHMN. CHENAL: Member Hamway.

4 MEMBER HAMWAY: I'm just looking for some
5 clarity on the dates. When you said in the early part
6 of the project, are you talking about July of 2016?

7 And then you said the two postcards were
8 sent, you had one for the EA and the CEC. So those
9 were the only things that have been sent since 2020,
10 2021, 2019? I guess I'm looking for, what's the most
11 recent mailing? Because I think that's going to get --
12 that's what's going to get people to come. This
13 started in 2006, it went dormant, and then it woke up
14 again in 2016. And so I'm just kind of looking for,
15 you know, what is the most recent.

16 And then also, is there any validity, I don't
17 know about truth, but any validity to the notion that
18 several of them said that it was people -- residents
19 got the notice, but people who were landowners and
20 waiting to build their forever home, they did not
21 receive notice? Is there any kind of -- do you see it
22 the same way?

23 MR. WARNER: Okay. Yeah, let me unpack that
24 for you. So let me just run through the dates.

25 June 2016 there was a mailing. March 2017 there was a

1 mailing. June 2019 it was online. July 2020 it was
2 online. January 2021 there was a virtual meeting
3 announced and that went out. So that would be the last
4 time, other than the postcards.

5 Now, in addition to that --

6 BY MR. DERSTINE:

7 Q. Cover the postcards, please.

8 A. (BY MR. WARNER) The postcards were
9 circulated in August 2020, and the postcard for the CEC
10 announcement -- I'm trying to find that date. For some
11 reason, it's not in my notes. Yeah, the CEC one.
12 March 2021.

13 Q. The dates that you just gave through your
14 testimony, do those coincide with what the Committee is
15 looking at up on the hearing screens?

16 A. (BY MR. WARNER) Yes, they do.

17 Q. We'll make a set of copies of this at a break
18 and circulate it. It will be UNSE Exhibit 50. So what
19 is shown on the screen will become UNSE Exhibit 50.

20 But for now, Mr. Warner, when it says, "Same
21 list, same list," talk to us about what's the -- under
22 "list creation notes," tell us about them.

23 A. (BY MR. WARNER) Okay. And hopefully,
24 Member Hamway, I'll cover your next question, which is:
25 How is the list developed and who does it go to as

1 well.

2 So the reference to "same list" was the last
3 time -- it's referring to the time that it was prepared
4 previously. So you can see at the beginning the
5 mailing list covered Mohave County's Tax Assessor
6 records. And so that would cover anyone that was a
7 property owner, whether they were in the state or even
8 out of the country. And I think we had maybe a couple
9 of dozen that were out of the country, something like
10 that. So all of those people that were listed as
11 owners of record would have received those.

12 What we observed is that, on most of these
13 mailings, that about a third of that 3,534 number were
14 from Golden Valley themselves and two thirds were
15 outside of Golden Valley. So they could have been in
16 other states, they could have been --

17 MEMBER HAMWAY: Say that again.

18 MR. WARNER: One third of the people were
19 from Golden Valley, in other words, they lived on the
20 property perhaps or their mailing address went to their
21 residence, they were listed there. And two thirds were
22 not found in Golden Valley. Maybe they lived in Las
23 Vegas or maybe Kingman, but they weren't from Golden
24 Valley. So that's how the list was derived.

25 Now, later in the process, because there was

1 some time that transpired between 2017 and then that
2 next set of mailings in 2020, we went through another
3 effort of refreshing the mailing list and confirming
4 that the mailing list did depict who was out there at
5 the time. And then we went back and also carefully
6 cross referenced the differences and made sure that we
7 were capturing, you know, the most current list.

8 We also went through the process of making
9 sure that anybody that had been on the phone line, that
10 had been requesting information was also added to the
11 list. And so that we captured anybody that had another
12 method, either through a letter or leaving a message on
13 the phone line, that they were also included on the
14 list if they left information that allowed them to do
15 that. Does that answer your question?

16 MEMBER HAMWAY: Yes, thank you. I have one
17 other question. So the half-mile notice, does that
18 begin with the boundary that you drew?

19 MR. WARNER: So it's based on the center line
20 of any of the alternatives. So if there was an
21 alternative that crossed through some place, then it
22 would have been half a mile in either direction on both
23 sides.

24 MEMBER HAMWAY: Is that a standard amount,
25 you know, that you use? I don't know. I can see that

1 working in a very dense area, you know, but in a rural
2 area maybe a half a mile might not be enough.

3 MR. WARNER: I think that we usually consult
4 with the people that are involved in terms of what is
5 the appropriate thing. I mean, we've had some hearings
6 where we canvass the entire valley, you know, in terms
7 of what's being done.

8 In this particular case, you know, in
9 collaboration of where we consider impacts, a half a
10 mile is a pretty long ways away from a line -- and
11 you'll see that in the visual simulations -- and so it
12 really is a diminishing effect. And so gathering up
13 that additional information is -- you get to a point of
14 diminishing return on that outreach activity.

15 MEMBER HAMWAY: Thank you.

16 BY MR. DERSTINE:

17 Q. Tell us what was -- direct the Committee to
18 the mailings that would have publicized this hearing.

19 A. (BY MR. WARNER) Okay. So certainly that
20 2021. Most of these -- in fact, all of the -- all of
21 the information that we circulated, and you'll see this
22 in Exhibit J, talked about the process, talked about
23 the need to go through first an Environmental
24 Assessment and take that process on, and then also,
25 because it was a high-voltage line, it talked about the

1 importance of the CEC hearings. And so that was
2 conveyed.

3 And usually we tried to capture a time frame
4 of approximately when that was going to go through the
5 process so you could anticipate what was actually
6 occurring and be informed. Now, obviously this project
7 has gone on much longer than we intended, and so those
8 dates changed with every -- with every outreach
9 activity. But the specifics of this hearing were
10 really covered under that 2021 postcard.

11 Q. Before the 2021 postcard, it's my
12 understanding and recollection that there was a virtual
13 open house that was held by the company, is that right?

14 A. (BY MR. WARNER) That's correct.

15 Q. And when was that virtual open house
16 conducted?

17 A. (BY MR. WARNER) That was in -- the
18 newsletter went out -- let me put my finger on that.

19 Q. I think the virtual open house occurred in
20 February?

21 A. (BY MR. WARNER) That's what I recall too.

22 Q. So if I'm looking at the second-to-the-last
23 entry on the screen, which will be Exhibit 50, it says,
24 "January 2021. Same list with a few updates. Virtual
25 open house newsletter." So am I correct in

1 understanding there was an actual newsletter that went
2 out to the mailing list that provided information on
3 the project and the CEC application and notified them
4 of the virtual open house, is that right?

5 A. (BY MR. WARNER) That's right.

6 Q. And where can the Committee find that?

7 A. (BY MR. WARNER) Exhibit J-12 has the open
8 house presentation materials. Oh, no. Excuse me.
9 That's not the right one. Hold on a minute.

10 Q. I think J-14 has the presentation materials.
11 I'm interested in the newsletter. I'll see if I can
12 find it too. Is that Exhibit J-9?

13 A. (BY MR. WARNER) Yeah, J-9. That's right.
14 There you go.

15 Yeah, so February 9th, 2021 was when the
16 actual hearing took place.

17 Q. By "the hearing" you're talking about the
18 virtual open house?

19 A. (BY MR. WARNER) Yeah, excuse me. Thank you.

20 MEMBER HAMWAY: Mr. Chairman.

21 CHMN. CHENAL: Member Hamway.

22 MEMBER HAMWAY: So this table that we're
23 looking at on J-9 is a result of the people who logged
24 on to the virtual meeting?

25 MR. WARNER: So I'm not seeing the table

1 you're referring to, Ms. Hamway.

2 MEMBER HAMWAY: It's Table J-3, comments
3 received per category -- oh -- during 2016 scoping. So
4 this is a culmination of all of the comments for the
5 last five years?

6 MR. WARNER: So that's --

7 CHMN. CHENAL: Member Hamway, what are you
8 looking at again or what are you referring to, please?

9 MEMBER HAMWAY: It's J-9, and what I'm
10 looking for is this -- it says, "Comments received per
11 category during 2016 scoping, Table J-3."

12 MR. WARNER: So that one is just for 2016.
13 So we'll talk through -- this will make more sense, I
14 think, when we talk through the sequence all the way
15 through, but let me answer that question.

16 In 2016, when the project was, I guess,
17 recharged with the BLM involvement, they went through a
18 scoping process. And that scoping process culminated
19 in the results that you see depicted there, okay?

20 MEMBER HAMWAY: Okay.

21 MR. WARNER: And so you can see how the
22 concerns were expressed in that meeting, and there's a
23 pie chart on the following page that shows you how they
24 lined up. But that table was generated as a result of
25 comments received at that time.

1 MEMBER HAMWAY: Okay. Thank you.

2 MEMBER NOLAND: Mr. Chairman.

3 CHMN. CHENAL: Member Noland.

4 MEMBER NOLAND: Just before you proceed, in
5 the comments that we have the copies of over the years
6 from 2006, 2007, I notice a lot of comments after the
7 postcard in August 2020, but I'm seeing virtually --
8 only one or two after the postcard in 2021. And this
9 makes me curious as to why we didn't get -- or, why you
10 didn't get a lot of comments after the last postcard.
11 And I think it lines up with people saying that they
12 weren't notified, unless I'm missing something in this
13 group.

14 And I need to tell you, this is really hard
15 to sort through this information because the years are
16 all mixed up. If they were put in a chronological
17 order, it would be easier to follow and we'd be able to
18 say to people, oh, yes, we got comments on that. But
19 this is not good. It's not easily digested.

20 And if I'm wrong, tell me I'm wrong, but I
21 would think as many people would have commented on the
22 last postcard, March 2021, as they did on the previous
23 postcard of August 2020. That's just a comment. Do
24 you have any idea why that was?

25 MR. WARNER: I'm sorry, I don't. Now, we

1 have received some comments since that will be added.
2 And there's another exhibit that's going to be
3 submitted, that's Exhibit 46, that gives us those
4 comments that we've received since this was published.
5 So there's some additional comments there. And we've
6 continued to receive some even up to this last few
7 days.

8 MEMBER NOLAND: Since what was published
9 Mr. Warner?

10 MR. WARNER: Since the application was
11 published. So we've got some additional comments that
12 have been accumulated from the time that -- from the
13 time that the CEC was prepared, and you'll see those.

14 MEMBER NOLAND: Where will I see them,
15 Mr. Warner?

16 MR. WARNER: I don't know where they are.
17 Have we circulated those to the Committee
18 Members yet or is that exhibit still --

19 MR. DERSTINE: Mr. Warner, you're asking me
20 about the additional comments that have come in that
21 were not included in the supplement?

22 MR. WARNER: That's right.

23 MR. DERSTINE: So Member Noland, there are
24 the tables that you accurately indicate do not
25 necessarily flow chronologically. As I looked at them,

1 they do jump around by year, and that makes it hard to
2 follow. And I don't know why it was prepared that way,
3 but I understand your frustration, because it makes it
4 hard to track. They jump around by year to year
5 sometimes. There are years where it seems to cover it
6 consistently, and then I'll get to another page and
7 I've went from 2016 to 2007. So I understand.

8 MEMBER NOLAND: Correct.

9 MR. DERSTINE: In the exhibits that were
10 filed we updated the spreadsheet that's contained in
11 the CEC application, which brought current additional
12 comments that we received from the public up through
13 the time of filing of our exhibits, and that is
14 Exhibit -- if you look at Exhibit 46, it's the
15 supplement to comment table in Exhibit J. So
16 Exhibit 46 is in the same format, but those are new
17 comments received here since -- certainly since we
18 mailed out the notice of this hearing and the ad was
19 published.

20 MEMBER NOLAND: I'm sorry. I really didn't
21 get up on the wrong side of the bed this morning, but
22 the type is so small on that I can't even read it with
23 my glasses on.

24 MR. DERSTINE: Yeah, and I --

25 MEMBER NOLAND: I see it now, but I really

1 can't read it. Thank you.

2 MR. DERSTINE: Yeah. The struggle is, if you
3 look at some of those comments, they're very long and
4 detailed, and so I think a decision was made in
5 printing this to try to capture what was there without
6 giving you 70 more pages. But you're right, it's small
7 print.

8 MEMBER NOLAND: Is it on my iPad?

9 MR. DERSTINE: Yes.

10 MEMBER NOLAND: I can enlarge it there.

11 MR. DERSTINE: Yes.

12 MEMBER NOLAND: So I will do that. Thank
13 you. That's 46?

14 MR. DERSTINE: Correct. All of your exhibits
15 are in the iPad, including 46.

16 CHMN. CHENAL: Okay. We have a couple --
17 Member Grinnell.

18 MEMBER GRINNELL: I just have sort of a
19 general question. Last night we heard from one of the
20 supervisors from Mohave County and we also heard from
21 the Mayor. How many consultations or discussions were
22 held with elected officials in the region, including
23 legislators and everybody else? How many people were
24 aware from the elected positions? And the reason I ask
25 this, this is a very close community, and smaller

1 regions have a much bigger networking opportunity than
2 large cities do. So I'll leave it there.

3 MR. WARNER: So it was a regular process to
4 try to reach out to the communities. In the early
5 phases of the project in 2008, there were several
6 briefings that occurred where we actually went to the
7 council meetings and worked with them. In the city of
8 Kingman, that resulted ultimately in their preparation
9 of a resolution in favor of the eastern routes.
10 Subsequent briefings -- and then there were field walks
11 that were arranged. Documentation of those is also in
12 the filing. There were field trips arranged where we
13 got on a bus and we kind of drove around to the
14 different routes and looked at Golden Valley and on the
15 eastern routes, and those also occurred early phases of
16 the project.

17 In the later phases of the project, the
18 alternatives were largely unchanged. And so the
19 briefings were less formal, because there wasn't as
20 many variations in those alternatives. And so they
21 were regularly engaged, but those formal briefings were
22 not held in the same way.

23 MR. RAATZ: During the start of the CEC
24 process we did reach out to all the elected officials
25 and offered to provide briefings. We did hold meetings

1 with Supervisor Bishop and Ron -- I'd have to look up
2 his last name -- from the City of Kingman, and we
3 provided those briefings prior to the virtual open
4 house. We did not receive any additional responses or
5 communication from the officials that we had reached
6 out to other than those two.

7 MEMBER GRINNELL: And to that point, though,
8 during -- you're talking between 2008 and 2021. How
9 many new elected officials have been voted in, state
10 representatives, supervisors, city council members?

11 MR. WARNER: They've changed quite a bit.

12 MEMBER GRINNELL: Yeah. So again I'll go
13 back: When's the last time you really sat down with
14 this audience to educate them so they can better convey
15 the message? Because they have a much closer
16 relationship than any of us will ever have.

17 MR. BECK: Mr. Chairman, Member Grinnell,
18 just relative to the City in particular, we reached out
19 to them as recently as last week and offered to come in
20 and do a further briefing, was there anything they
21 needed to know. And their position was, no, they knew
22 everything they needed to about the project. So even
23 getting an audience with some of these elected
24 officials hasn't been the easiest thing, and they
25 haven't necessarily seen the value in having

1 discussions with us.

2 There were formal notifications through the
3 EA process with letters that we have in file to both
4 the City and the County specifically with the
5 information about the project and soliciting comments.
6 And I think we may have gotten the EA -- the BLM got a
7 response from the County, but I don't know that they
8 ever got anything from the City. We'll have some
9 further information on some of this detail further in
10 the testimony.

11 And then to -- a response to Member Noland's
12 question about not having a lot of input. I think we
13 heard from at least one member of the public last night
14 that -- how many times do we have to tell you? How
15 many times do we have to submit? How many times do we
16 have to be in front of UNSE specifically to tell you
17 what our preferences?

18 And so I think to a large degree we got
19 comments back in 2020. But by the time we got into
20 2021, we had formed our preferred, we had identified
21 our preferred, BLM had their preferred, they lined up,
22 and I think that most of that populace said, okay, it's
23 going where we wanted it to. And so the really engaged
24 people that were submitting comments early on didn't
25 feel the need to comment again. And I think we heard

1 at least one person with some frustration last night,
2 how many times are you going to ask us to come back to
3 keep telling you this is what we want?

4 CHMN. CHENAL: Member Noland.

5 MEMBER NOLAND: Mr. Beck, I think you're
6 probably right in part, but, you know, I counted last
7 night, of the 14 people that appeared, that they had
8 mixed support for one or the other. There were nine
9 that didn't want the west route and there were five
10 that didn't want the east route.

11 So I think that, number one, the map is
12 confusing, and that's just because you were trying to
13 provide a lot of alternate type of scenarios. But I
14 think it's confusing to people. It was confusing to me
15 as I first sat down and looked at the map. I don't
16 know that that can be rectified.

17 I think this has been a long confusing
18 process with a lot of different government agencies
19 involved and it's gone on way too long. You just can't
20 do this to people. I'm not saying that's your fault.
21 I really think it's more a governmental delay on a lot
22 of things. But I think that it's this combination of a
23 perfect storm of difficult-to-understand maps,
24 difficult to understand which body is doing what, and
25 we need to be sure that everybody understands.

1 I think the people understood last night what
2 the routes were, and hopefully they'll pass that along.
3 But I've never seen a case that's gone on this long,
4 and it's very, very confusing for people. And I think
5 that does an injustice to the citizens of this area.

6 MEMBER GENTLES: Mr. Chair.

7 CHMN. CHENAL: Yes. I was going to say,
8 there's three pending questions: Member Gentles,
9 Member Haenichen, and Member Hamway. Now, let me just
10 remind the Committee: We're taking this out of order a
11 little, because we're going to hear Mr. Warner get to
12 this in his presentation, so you'll have plenty of
13 opportunity to ask him questions at that time. But if
14 you have a question now, let's make sure you get it in
15 so you don't forget it.

16 Member Gentles.

17 MEMBER GENTLES: Thank you, Mr. Chair.

18 In following up to what Member Noland said, I
19 think part of the challenge that I have with this --
20 and as I mentioned yesterday, I actually tried to read
21 through the 170 pages of comments, but there are two
22 challenges that I was presented with. One is the
23 length of time this project has gone on and then the
24 gaps within the project time and the starts and stops.

25 Secondly, the challenge with reading through

1 the comments is, it is not in date order. It jumps
2 between categories. And within those categories the
3 dates aren't even linear in that respect either.

4 So I bring that up to say that, you know,
5 Household Member or Property Member A in 2007, you
6 can't really see what the evolution of their comments
7 are because you don't know or see what they have been
8 able to comment on except for in this one category. So
9 that was very confusing to me. So I can't tell you if
10 somebody changed their position or they -- you know,
11 they decided once they found more information on a
12 different line or whatever the case is. So there's no
13 way really to understand or know that.

14 I think that's a significant challenge, at
15 least for me, because now I just don't have a really
16 good sense of what the property owners are saying. And
17 the 14 that we saw took their time to come to the
18 hearing, but, you know, there are, what -- I think
19 there's 3,500 individuals or households that were
20 mailed, and we have 170 pages of jumbled comments. So
21 I just don't have a good feel for what the property
22 owners are thinking out there because everything is so
23 -- it's just not a linear fashion right now.

24 So no question; more of a comment and
25 observation. And I think the challenge that you have

1 in this communication process is that, yeah, you've got
2 a long period that you're communicating over, but
3 you've changed the communication process multiple times
4 over that -- over that period. So I think that's one
5 of the bigger challenges.

6 CHMN. CHENAL: Let me ask a question of
7 Mr. Warner. Mr. Warner, is it possible to take the
8 information you provided, if it's in a spreadsheet
9 format, and just sort it by date and give it to us so
10 it's now sorted by date? I think that would be helpful
11 if you could do that.

12 MR. WARNER: We'll do that.

13 And let me make one remark too. And I
14 think -- I appreciate the criticism that's leveled to
15 calibrate these things. It's very helpful so that we
16 can calibrate things, simple things like sorting and
17 font size. Those are things that we take to heart and
18 try to improve on.

19 I think as these things have unfolded --
20 you've talked about the character of these long
21 processes, and the common thread of being able to
22 maintain continuity of a program that disseminates
23 information on periodic bases is a challenge. And
24 hopefully we can describe some of those challenges that
25 were a part of that process in terms of the BLM

1 involvement and their enthusiasm and ability to sort of
2 march through certain things, and then also the overlay
3 of COVID and how that influenced how simple things like
4 stakeholder meetings can really occur, you know. And
5 so there's a dynamic shift that happened instead of
6 using the routine that we were starting off with as a
7 feature of how it was going to occur. We had to adapt.
8 And so I think some of those things were factors as
9 part of the process, so I'll just leave that there.

10 CHMN. CHENAL: So if we could get a resorted
11 list of the exhibits that have that information, that
12 would be very helpful.

13 Member Haenichen and then Member Hamway.

14 MEMBER HAENICHEN: Thank you, Mr. Chairman.

15 I'm referring to the meeting last night with
16 the citizens and all the statements that were made that
17 we observed from this room. And after they -- after
18 that was complete, I took the time to go out and mingle
19 with the people that were there, that were still there,
20 and most of them were still there.

21 Now, this question I'm going to ask you is
22 going to seem like a silly question, but I assure you I
23 don't intend it to be a silly question. Why was this
24 project named the Golden Valley transmission line?

25 MR. WARNER: I think in the early phase of

1 the project going up to Kingman -- I mean, excuse me,
2 going up to Mineral Park and it passed through those
3 areas, we try to identify an area that is imageable to
4 the people that are largely affected by those things.
5 And so that seemed to resonate, and that's probably the
6 reason why we chose it.

7 MEMBER HAENICHEN: Yeah, but I think your
8 last statement corroborates what I'm about to say, and
9 that is that to me -- for residents of Golden Valley it
10 would seem like very much a red flag, that we're going
11 to bear the brunt of this ugly facility. I don't think
12 it's ugly, because I think they're beautiful, but I'm
13 sure the residents wouldn't agree with me. And I think
14 that's where some of the acrimony comes from. Thank
15 you.

16 CHMN. CHENAL: Member Hamway.

17 MEMBER HAMWAY: Thank you, Mr. Chairman.

18 I have a simple question. When was the board
19 of supervisors meeting where they voted unanimously for
20 W1 and W2 -- or, W1 or W2?

21 MR. WARNER: I don't know if I've got that
22 with me.

23 MR. BECK: It was very recent, Member Hamway,
24 within the last several weeks.

25 MEMBER HAMWAY: Okay. I just wanted to know

1 if it was this year, last year.

2 MR. BECK: April 19th.

3 MEMBER HAMWAY: Okay. Thank you.

4 CHMN. CHENAL: And Mr. Warner, just one final
5 question. The March 2021 postcard, that was noticing
6 this hearing, correct, the CEC hearing?

7 MR. WARNER: That's correct.

8 CHMN. CHENAL: Okay. Thank you.

9 BY MR. DERSTINE:

10 Q. And in addition, talking about the notice --
11 forms of notice that were used to publicize this
12 hearing, it wasn't simply the postcard, correct?

13 A. (BY MR. WARNER) That's correct.

14 Q. What were the other methods that were used to
15 publicize this hearing? I think Mr. Raatz is going to
16 testify about the publication of the notice of hearing
17 in the Daily Miner on at least two occasions. What
18 else was used, to your knowledge?

19 A. (BY MR. WARNER) Well, as we heard in the
20 testimony, there were also placards that were
21 positioned along routes, and so there's a map depicting
22 that. I think Mr. Raatz is also going to discuss that.
23 There were radio announcements, as I understand, on
24 the -- that were broadcast as well.

25 Q. And then there was this postcard that also --

1 A. (BY MR. WARNER) And the postcard was also
2 circulated, yes.

3 Q. And that postcard went to the mailing list --
4 the most recent mailing list, which was updated when?

5 A. (BY MR. WARNER) In July of 2020, and then
6 there were -- there was a check to see whether or not
7 it captured all of the recent additions in the first
8 part of the year. So in January it was -- it was
9 examined and more names were put on it, but they were
10 using the -- they were using the same list that was
11 pulled from the County records that was from July of
12 last year.

13 Q. And am I correct in understanding that after
14 public comment you used the names -- or, we had the
15 names from the folks who indicated they didn't receive
16 notice, and we cross referenced those to our mailing
17 list?

18 A. (BY MR. WARNER) That's correct.

19 Q. I don't know if it's appropriate, and I'm not
20 sure I want to put their names up on the screen, but
21 you're saying you matched those names out to the
22 mailing list?

23 A. (BY MR. WARNER) That's correct. One of the
24 names had a different -- had a different name, but it
25 came to the same address.

1 Q. Switching back to Member Grinnell's question
2 about stakeholder outreach and specifically to the City
3 and the County. Mr. Raatz testified that there was a
4 meeting in February of this year with Superintendent
5 Bishop, that is right, Mr. Raatz?

6 A. (BY MR. RAATZ) That is correct.

7 Q. That was an in-person meeting?

8 A. (BY MR. RAATZ) It was a virtual meeting.

9 Q. And there was no recent meeting with the City
10 of Kingman, but we did ask if they wanted an update?

11 A. (BY MR. RAATZ) We did meet with a
12 representative of the City of Kingman -- I'm trying to
13 track down the exact representative -- that was in
14 either the January or February time frame as well.

15 Q. January time frame of 2021?

16 A. (BY MR. RAATZ) 2021, that is correct.

17 MEMBER HAMWAY: Mr. Chairman, can I ask a
18 quick question?

19 CHMN. CHENAL: Member Hamway, of course.

20 MEMBER HAMWAY: So did the Kingman council
21 weigh in on any of this over the last 16 years?

22 MR. BECK: Member Hamway, again, we haven't
23 got into our testimony. Further in the testimony there
24 will be some relative to that. But when we did reach
25 out to the City a week and a half or so ago, they were

1 getting ready to submit a letter that they had
2 originally submitted way back in the project where they
3 preferred the western routes.

4 MEMBER HAMWAY: Way back in --

5 MR. BECK: 2007, '8 time frame. Probably
6 2007.

7 MEMBER HAMWAY: So the west was available
8 back in 2007?

9 MR. BECK: Again, there's a whole chronology
10 we'll lay out in testimony, but yes, there was.

11 Initially we started with only western
12 alternatives in our very first go around of, here are
13 some routes. The City came out with a letter and said,
14 we prefer the western routes, back in that time frame.
15 And again, there will be a lot of testimony about what
16 we did with the City. But ultimately, it resulted in a
17 resolution from the City. And when we mentioned that
18 or reminded the City, oh, you've already issued a
19 resolution, there was no letter forthcoming from the
20 City or position taken recently other than what you
21 heard from the Mayor last night at public comment.

22 CHMN. CHENAL: I'm going to ask --

23 Member Noland, in a second.

24 You just confused me. So initially the City
25 took a position they wanted the west route, there was a

1 letter to that effect, then there was a resolution to
2 that effect?

3 MR. BECK: No. The resolution goes way over
4 to, we prefer the eastern routes.

5 CHMN. CHENAL: And when was that resolution,
6 roughly?

7 MR. BECK: 2008.

8 CHMN. CHENAL: So 2007, initially a letter in
9 support of the western routes. In 2008 the City did a
10 180 and issued a resolution for the eastern route?

11 MR. BECK: Yes. Correct. As a result of our
12 outreach to them and back and forth and some other
13 things we'll talk about, they were convinced that, no,
14 the eastern route would be the better route for the
15 project.

16 CHMN. CHENAL: And was there any formal
17 action taken by the City to update their position from
18 2008?

19 MR. BECK: At this point, not that we're
20 aware of.

21 So as I said, we had reached out again a week
22 and a half ago. And they indicated, oh, we're going to
23 dust off the old letter. So they only knew about the
24 western preference letter.

25 And we said, well, by the way, you might want

1 to go back and look at the resolution you passed. And
2 so then it got real quiet, and we heard no more from
3 the City until last night.

4 CHMN. CHENAL: Okay. Thank you.

5 Member Noland.

6 MEMBER NOLAND: Well, that was my point,
7 Mr. Chairman, because I didn't see the letter, but I
8 saw the resolution from 2008 that endorsed the eastern
9 project.

10 CHMN. CHENAL: Thank you.

11 MR. DERSTINE: And that is -- Exhibit 47 in
12 the exhibit binder is the 2008 resolution from the City
13 of Kingman, Resolution No. 4555, that supports the
14 eastern route.

15 MEMBER GENTLES: Mr. Chair, just a quick
16 question.

17 CHMN. CHENAL: Member Gentles.

18 MEMBER GENTLES: So is it my understanding
19 that the 2008 resolution from the City endorsing the
20 eastern route -- there was no other communication
21 between the project and the City until last night? Did
22 I hear that correctly?

23 MR. DERSTINE: No. Go ahead.

24 MR. BECK: Member Gentles, that's not
25 correct. There had been outreach to the City. At

1 least for sure there were BLM letters sent to the City
2 asking for input on the EA process. And then we did
3 have some other outreach. As Mr. Raatz had indicated,
4 earlier this year there was outreach to City staff.

5 BY MR. DERSTINE:

6 Q. So Mr. Beck, what you're referring to, there
7 were these fact sheets, the BLM process for informing
8 stakeholders and the public about the progress of the
9 scoping process. The City received those, Mohave
10 County received those, is that right?

11 A. (BY MR. BECK) Well, not only the fact
12 sheets, but there was specific letters addressed to the
13 City and the County for input as part of their agency
14 outreach from BLM.

15 Q. And that outreach was intended to continue to
16 communicate and update the City and the County on the
17 project?

18 A. (BY MR. BECK) That is correct. Yeah.

19 Q. Well, we do have those -- the commenters up
20 on the screen, I'm not going to mark that as an
21 exhibit, but so that the Members can see that we did
22 cross reference those folks. And this is always a
23 challenge in these cases in terms of -- we do our best
24 to have a current mailing list. Sometimes there are
25 errors in those records. And then we mail them out,

1 and yet invariably there's folks who say, I didn't get
2 it. It's a challenge. And that's why we use other
3 channels and direct mailings.

4 MEMBER HAENICHEN: Difficult.

5 MR. DERSTINE: Yeah.

6 BY MR. DERSTINE:

7 Q. Anything else you wanted to add on the notice
8 issue, Mr. Warner?

9 A. (BY MR. WARNER) No, I don't think so.

10 Q. And I think you and Mr. Beck, again, are
11 going to, to Member Hamway's point and some of her
12 questions, do a more detailed walk-through of what was
13 done and why in terms of public outreach starting in
14 2007 to tell that story, right?

15 A. (BY MR. WARNER) That's correct. It's
16 closely woven with the identification of alternatives
17 that will help to explain the engagement of the
18 agencies that are involved.

19 Q. Jason, can we go back to Slide 29, please.
20 And go ahead and advance it to 30. I think Slide 30
21 identifies the main parties, stakeholders, landowners
22 that have expressed some opposition to the preferred
23 route, the eastern route.

24 (Technical difficulties.)

25 CHMN. CHENAL: Let's take a five-minute

1 break.

2 (Off the record from 10:21 a.m. to
3 10:39 a.m.)

4 CHMN. CHENAL: Let's resume the hearing. We
5 had kind of an impromptu break there. Let's see how we
6 go from here on out. So let's resume the hearing,
7 Mr. Derstine.

8 MR. DERSTINE: Mr. Chairman, thank you.

9 As a housekeeping matter, Ms. Odisho handed
10 out copies of the written public comment that was
11 received yesterday evening. I just want to be careful
12 and note for the record, we don't typically take
13 written public comment in addition to people actually
14 standing up and speaking and giving public comment.
15 It's one or the other.

16 We've agreed to file what's been submitted as
17 written public comment. But again, the radio stations
18 spoke, they also submitted written public comment. I
19 think I just saw an e-mail that they e-mailed your
20 office, Mr. Chairman, that is KYET, and that's been
21 e-mailed out to the Committee Members. So we're
22 getting a lot of writings on top of the oral public
23 comment that was given last night. It needs to be
24 given the proper character and weight. It's public
25 comment, we're not marking it as evidence, it is not,

1 but we take it as public comment.

2 CHMN. CHENAL: Yeah, that's correct. I can't
3 say I haven't gotten notice of the positions of at
4 least the radio stations. But yeah, it's not evidence
5 and it's simply public comment. So let's just -- we'll
6 file it, and that will be that. But it is not
7 evidence, but it helps inform us as to questions and
8 areas of inquiry.

9 MR. DERSTINE: Very good. Thank you.

10 BY MR. DERSTINE:

11 Q. I'm going to start here at the bottom. So
12 we've got a slide -- I don't have my glasses on, but I
13 think it says Slide 30. I want to start at the bottom
14 there with the City of Kingman, because we've talked a
15 bit about the City's resolution in support of the
16 eastern route, which is Exhibit 47. There was some
17 discussion of that before the break.

18 But we've listed the City of Kingman here as
19 stakeholder concerns with the preferred route, and we
20 listed the City of Kingman because we were alerted that
21 the City would be sending in a letter opposing the
22 eastern route in support of the western routes. We
23 didn't get that letter, but we did hear from Jen Miles,
24 who's the Mayor of Kingman. I didn't know that who I
25 was listening to was the Mayor of Kingman until she

1 said so, and I took her comment as on behalf of Jen
2 Miles personally and not the City of Kingman, but I'll
3 let the Committee interpret her words.

4 Mr. Raatz, one of the topics that we got into
5 was: This project has been around a long time, and
6 mayors and County supervisors have changed over time.
7 Can you update -- I think you went back and looked at
8 your stakeholder outreach records. Just give us a
9 chronology of outreach with the City of Kingman in the
10 recent phase of the project.

11 A. (BY MR. RAATZ) Yes, Mr. Derstine. As recent
12 as January 25th, 2021, there was an e-mail that went
13 out to all elected officials in the area.

14 Q. All elected officials in the area, what do
15 you mean?

16 A. (BY MR. RAATZ) Public officials, so the
17 Mayor of Kingman, all the supervisors, stakeholders,
18 larger stakeholders, as well as those elected
19 officials.

20 Q. And what did the e-mail say?

21 A. (BY MR. RAATZ) It was notifying them of the
22 upcoming virtual open house and letting them know that
23 we were holding the virtual open house on February 9th,
24 I believe. Along with that communication, attached to
25 the e-mail was the postcard that had gone out to notify

1 the public of that public open house. And then we
2 asked them if they would like to have a separate
3 briefing prior to or after the open house to let them
4 know and give them a refresh of the project.

5 Q. And did anyone take you up on your offer to
6 give a briefing on the project?

7 A. (BY MR. RAATZ) Yes, there were two
8 individuals in particular. We did receive an e-mail
9 back from the Mayor on that same day, the Mayor of
10 Kingman, and she said that City Manager Ron Foggin
11 would attend on her behalf. And so we had scheduled a
12 meeting with Ron Foggin, and that was held on
13 February 8th of 2021 between 11:00 and 11:45 a.m. I'm
14 not sure if it went exactly to 11:45. In attendance
15 was myself, Adriana Marinez, a representative in UNSE,
16 as well as Anthony Lombardi, a representative from
17 UNSE.

18 And during that meeting we provided the
19 public open house materials as seen in the application
20 Exhibit J-14, just a brief overview of the project and
21 where we are due to the fact that the CEC was going to
22 be submitted in the March time frame.

23 Q. So it was -- that meeting that you conducted
24 with the City Manager of Kingman was in advance of
25 before -- or, before the filing of the CEC application?

1 A. (BY MR. RAATZ) That is correct. And before
2 the open house.

3 Q. And you wanted to alert the City about just
4 what was coming?

5 A. (BY MR. RAATZ) That is correct.

6 Q. Did you get a response from the City Manager
7 concerning the project or expressing a preference for
8 one route over the other?

9 A. (BY MR. RAATZ) My recollection of the
10 meeting was that the City Manager was excited about the
11 project. He did not identify a preference of a route,
12 rather that he would just like to see the project
13 built, as he indicated that the city of Kingman has
14 experienced growth and he knows that residents have had
15 some issues with electrical -- electricity service in
16 their area. So he wanted to make sure that all those
17 issues got addressed.

18 Q. So that's the most recent outreach with the
19 City of Kingman?

20 CHMN. CHENAL: Excuse me. Member Hamway has
21 a question.

22 MEMBER HAMWAY: I just had a quick question.
23 So was the Town Manager or City Manager aware of the
24 resolution from 2008? Was he the City Manager at that
25 time?

1 MR. RAATZ: Mr. Chairman, Member Hamway, I
2 cannot speak to if he was the City Manager in 2008, and
3 the letter of resolution did not come up during our
4 conversation on February 8th.

5 MEMBER HAMWAY: Okay. Thank you.

6 CHMN. CHENAL: Quick question -- Member
7 Noland, and then I have a quick question.

8 MEMBER NOLAND: Thank you. Did you ask them
9 for a letter on their position, either the Mayor or the
10 City Manager?

11 MR. RAATZ: Mr. Chairman, Member Noland, at
12 that time I did not.

13 MEMBER NOLAND: Thank you.

14 CHMN. CHENAL: Remind me, the city limits of
15 Kingman in relation to Golden Valley --

16 Siri is talking to me. Excuse me. I have to
17 finish my conversation with Siri.

18 MEMBER DRAGO: She's going to help you out.

19 CHMN. CHENAL: Well, she could probably help
20 with the question. But the question is: I'm trying to
21 figure out the city limits of Kingman versus Golden
22 Valley and the people -- the western alternatives and
23 whether that's in the city limits or not. That's the
24 question.

25 MR. RAATZ: Mr. Chairman, I'll use my laser

1 pointer to indicate the city limits, as well as if
2 you'll take a look at the place mat. The map that
3 shows the key observation points, you can see the city
4 limits identified in the -- well, it appears to be
5 green line, and they continue to the east and they're
6 kind of cut off from that. And then Golden Valley is
7 basically west of the Cerbat mountain range, so it
8 would -- you can see that the Cerbat Foothills
9 Recreation Area on this map is identified in the
10 hatched area.

11 MEMBER HAMWAY: Mr. Chairman.

12 CHMN. CHENAL: So the Kingman -- incorporated
13 areas of Kingman do include, let's say, the eastern
14 alternative routes or portions of it, but does not
15 include the western alternatives?

16 MR. RAATZ: Mr. Chairman, that's correct.

17 CHMN. CHENAL: Did someone else have a
18 question?

19 MEMBER HAMWAY: I did.

20 CHMN. CHENAL: Member Hamway.

21 MEMBER HAMWAY: I just wanted to know if
22 Golden Valley is incorporated and where do they get
23 their services? Do they rely on trash and stuff from
24 Kingman, or do they have their own way of doing that?

25 MR. WARNER: So I can't speak to the second

1 part, because I don't know. But they're in the county,
2 so they're not incorporated.

3 MEMBER HAMWAY: Okay. Thank you.

4 MR. BECK: Mr. Chairman, relative to your
5 comment on the city of Kingman, the portion that they
6 do cover is going up Highway 93. That's a key part of
7 the concerns they raised back in 2007 and '8, and
8 that's where we spent a lot of time with the City at
9 that time with visual stimulations and other
10 information to soften their concerns about the western
11 route being the route to use. And so it was that kind
12 of gateway portion of Highway 93 going up over the
13 hill, and they had a lot of concerns about that. And
14 we were able to alleviate their concerns at that time,
15 and that's why we ended up getting that resolution back
16 then.

17 MR. WARNER: Let me just add a little color
18 to that. I think it was influenced quite a bit by
19 the -- by the hearings that were occurring early on in
20 the project. They were predominantly attended by
21 members of the Golden Valley area and were passionate
22 about where they thought the line needed to be. And
23 we'll have more to speak on this later. And so when we
24 went back to the City and talked with them about that
25 experience and they witnessed it firsthand, I think

1 that contributed to their interest in seeing an
2 alternative that was feasible on the east side and
3 ultimately wrote that resolution.

4 MR. DERSTINE: And Mr. Chairman, the
5 jurisdictional boundaries for the city of Kingman are
6 shown in Figure 1 to the application.

7 CHMN. CHENAL: Thank you.

8 BY MR. DERSTINE:

9 Q. So Mr. Raatz, you were covering the recent
10 outreach to the City of Kingman. What about Mohave
11 County?

12 A. (BY MR. RAATZ) Yes. We did have a meeting
13 with Supervisor Bishop in that same time frame, and
14 during that meeting she was opposed to the eastern
15 routes. It was the same attendees, Adriana Marinez,
16 Anthony Lombardi, and myself representing UNSE. And
17 she did bring up some questions, and we provided her
18 with a response as you can see in the exhibit binder.

19 Q. Is that UNSE Exhibit 42?

20 A. (BY MR. RAATZ) That is correct,
21 Mr. Derstine. Thank you.

22 Q. So UNSE Exhibit 42 is an e-mail that responds
23 to questions that came up in your in-person briefing
24 with Superintendent Bishop?

25 A. (BY MR. RAATZ) In our virtual briefing,

1 that's correct.

2 Q. Virtual briefing?

3 A. Yep.

4 Q. As in-person as we get these days?

5 A. (BY MR. RAATZ) As in-person as we get, yes.

6 And just to note, that e-mail response, I had
7 sent it to the government affairs representative. He
8 was the liaison between myself and Supervisor Bishop.
9 So he forwarded that on to supervisor Bishop.

10 Q. And then -- but Supervisor Bishop was pretty
11 clear at that time that she opposed the eastern route?

12 A. (BY MR. RAATZ) That is correct.

13 Q. But still had questions, and you responded to
14 them?

15 A. (BY MR. RAATZ) That is correct.

16 Q. And did Supervisor Bishop then send a letter,
17 you know, indicating her opposition to the eastern
18 route in support for the western routes? Was that
19 included in the outreach materials in Exhibit J to the
20 application? And it's possible I'm confusing
21 Superintendent Bishop's --

22 A. (BY MR. RAATZ) We did just receive a letter
23 from the board of supervisors.

24 Q. I'm referring to -- it's a letter from Jean
25 Bishop dated August 31, 2020. It's in Exhibit J.

1 A. (BY MR. RAATZ) That is correct.

2 Q. And then in that letter Supervisor Bishop
3 indicates that -- she says, "I'm writing to support
4 BLM's selection of one of the west routes for the final
5 decision on the proposed UNSE 230 kV transmission
6 line." So this was in response to BLM's outreach
7 specifically concerning the decision in the EA?

8 A. (BY MR. RAATZ) That is correct.

9 Q. It was interesting to me that in the
10 second-to-the-last paragraph of Supervisor Bishop's
11 letter she states, "I do note some private citizens
12 have already sacrificed some of their lands for the
13 public good to build Interstate 40 in Cook Canyon, and
14 it seems to me that they should not be forced to
15 sacrifice some of their land's remaining value to the
16 public for a 230 kV line." Do you see that?

17 A. (BY MR. RAATZ) Yes, I do.

18 Q. And we've seen similar language in the
19 letters from Mr. Cunningham?

20 A. (BY MR. RAATZ) That is correct.

21 Q. And then the most recent communication from
22 the board of supervisors was their resolution
23 supporting the western routes?

24 A. (BY MR. RAATZ) That is correct.

25 Q. So working from the bottom on Slide 30, we've

1 talked about City of Kingman and Mohave County. I
2 think the Mohave County letter, and I'm working from
3 memory, their recent resolution points to greater
4 residential impacts on the east -- from the eastern
5 routes than the western routes. Am I right about that?

6 A. (BY MR. RAATZ) That is correct.

7 Q. And that was a theme or a basis for
8 Superintendent Bishop's opposition to the eastern
9 route?

10 A. (BY MR. RAATZ) That is correct.

11 Q. And we're going to talk later about those
12 comparative residential impacts, right?

13 A. (BY MR. RAATZ) That is correct.

14 Q. Mr. Warner in particular will address that
15 issue?

16 A. (BY MR. RAATZ) That is correct.

17 Q. Okay. So now let's go back up to the first
18 bullet, to the two radio station owners. I think they
19 were both here last night and expressed their comments.
20 But you have, in particular, worked directly with the
21 radio stations in addressing their concerns over
22 interference, am I right about that?

23 A. (BY MR. RAATZ) That is correct. More so
24 with KYET located along 93.

25 Q. Okay. Why has your focus been on KYET

1 instead of KAAA?

2 A. At the time I started involvement with the
3 project, all mitigation had been put in place for KAAA,
4 and so that was towards the end of the EA process. And
5 we do have a letter -- or, excuse me -- an e-mail from
6 the owners of that facility stating that if UNSE agreed
7 to put specific language in the EA and relocate their
8 towers or move their towers away from the location of
9 the radio tower, I believe they had specified
10 1,150 feet or more, he would be -- accept the eastern
11 route.

12 Q. Let me direct your attention to Exhibits 15
13 to 20 and have you -- I believe, and I need you to tell
14 me if I'm right, that Exhibits 15 to 20 essentially
15 document the communication with KAAA over their radio
16 station interference concerns, right?

17 A. (BY MR. RAATZ) That is correct.

18 Q. And turn to Exhibit 18. Cover what's in 18
19 and 19 and 20, please.

20 A. (BY MR. RAATZ) So in Exhibit 18, this is a
21 letter from the BLM directed to Mr. Jaeger of Cameron
22 Broadcasting.

23 CHMN. CHENAL: Which exhibit, again, are you
24 looking at?

25 MR. RAATZ: Exhibit UNSE-18, Mr. Chairman.

1 CHMN. CHENAL: 18.

2 MR. RAATZ: And this letter in specific
3 notices Mr. Jaeger that the tower had been moved to
4 approximately 1,200 feet away -- or, excuse me -- the
5 line had been moved approximately 1,200 feet away from
6 the existing radio tower. And then it goes on to say,
7 "The BLM understands that, while unlikely, there could
8 still be a potential for interference from the
9 transmission line should the BLM choose the eastern
10 alternative alignment; however, it would be UNSE's
11 responsibility to eliminate the interference."

12 BY MR. DERSTINE:

13 Q. I'm looking at the second paragraph on
14 Exhibit 18. And it's a letter from Amanda Dodson,
15 field manager for Bureau of Land Management. So in
16 looking at that second paragraph, I'm reading, and
17 she's characterizing a prior communication from
18 Mr. Jaeger, "You also noted the distance from the
19 proposed transmission line to the tower would be from
20 230 to 570 feet. In reviewing the current transmission
21 line's alignment for this alternative and consulting
22 with UNSE on this matter, the transmission line's
23 position for the alternative would be no less than
24 1,200 feet from the tower." Did I read that right?

25 A. (BY MR. RAATZ) That's correct.

1 Q. And at the prior sentence it says, "In your
2 letter of September 30, 2008, you mentioned the
3 transmission line's alignment would need to be over
4 1,150 feet from the tower." Did you see that?

5 A. (BY MR. RAATZ) Yes, that's correct.

6 Q. And why that particular distance, 1,150 feet?
7 Is that the wavelength for KAAA?

8 A. (BY MR. RAATZ) That is the electrical
9 distance from the radio tower to any proposed new
10 tower. The FCC has a calculation to relate linear
11 distance based upon the frequency of the radio station.
12 So the frequency of the radio station is turned into
13 electrical distance, so that determines how far away a
14 tower should be placed -- a new tower should be placed
15 from an existing tower.

16 CHMN. CHENAL: Member Grinnell.

17 MEMBER GRINNELL: I'm looking at Exhibit L32
18 -- or, the slide. I'm sorry. L32. And I'm looking at
19 the radio station KAAA, and then I see the blue line
20 for the eastern. That seems to be a lot more than
21 1,100 feet. Am I missing something here?

22 MR. RAATZ: Mr. Chairman, Member Grinnell, we
23 have moved the proposed eastern alignments further than
24 1,150 feet away from the existing tower. So if you'll
25 note in UNSE Exhibit 20, there's e-mail correspondence

1 from Mr. Jaeger -- or, excuse me -- from the Bureau of
2 Land Management representative, Andy Whitefield, to our
3 UNSE contact. "After our call yesterday, I e-mailed
4 Don Jaeger with Cameron Broadcasting regarding if he
5 had any further concerns." Well, pardon me. That is
6 the wrong exhibit.

7 CHMN. CHENAL: While you're looking,
8 Mr. Derstine, just to kind of summarize where we're at,
9 Cameron was arguing that their concern was that the
10 line would be placed within 1,150 feet of their tower,
11 and it's now being established that, in fact, the
12 transmission line under the proposed eastern route
13 would be more than 1,150 feet from the tower, the
14 Cameron tower, KAAA, is that correct?

15 MR. DERSTINE: You're exactly right.

16 CHMN. CHENAL: Now, what about the other
17 tower?

18 MR. DERSTINE: We'll address KYET next.

19 BY MR. DERSTINE:

20 Q. So yes, the upshot of the communications and
21 the exhibits that we have there with KAAA is that KAAA
22 said, there will be interference or there's likely to
23 be interference if you're closer than 1,150 feet, the
24 number on the dial you would need to use to find my
25 station. And the proposed alignment is now further

1 away than that distance and beyond that, is that right?

2 A. (BY MR. RAATZ) That is correct.

3 And just to clarify, Mr. Chairman, the
4 exhibit is UNSE Exhibit 19, an e-mail from Don to --
5 the owner of the transmission tower to the Bureau of
6 Land Management. "Thanks for getting back to me and,
7 yes" -- excuse me. He says, "I just talked to Rebecca
8 McCarthy...I told her that we are good with proceeding
9 with the project referenced in your May 2, 2019 letter
10 as long as the agreement with the BLM provided for a
11 remedy should interference occur after construction of
12 the project."

13 Q. So the mitigation efforts were to move the
14 tower in response to their concerns and to agree to
15 include a duty and the obligation to mitigate any
16 interference, is that right?

17 A. (BY MR. RAATZ) That is correct.

18 Q. And that's a standard condition in our CEC?

19 A. (BY MR. RAATZ) That is correct. And that
20 language is also played in the EA.

21 Q. So it's an obligation under the EA that UNSE
22 address any interference issues, and it's been a
23 standard condition in the CECs issued by this Committee
24 for a very long time. I haven't gone back to find the
25 very first case, but it's been there for a long time,

1 right?

2 A. (BY MR. RAATZ) That's correct.

3 Q. And so this isn't a new issue, potential
4 interference with a new transmission line with an AM or
5 an FM radio station, right?

6 A. (BY MR. RAATZ) That is correct.

7 And just to note on that, I looked up some
8 transmission line miles for our sister company, Tucson
9 Electric Power. We do have 422 miles of 138 kV
10 transmission lines. To date, we have not received any
11 complaints from interference with our transmission
12 lines interfering with any radio broadcast.

13 Q. So to the Chairman's point, let's move on to
14 the next radio station and its objections. That's
15 KYET. Can you use the screen on the left and orient us
16 to where KYET's tower is located?

17 A. (BY MR. RAATZ) So KYET's tower is located
18 just on the west side of 93. And you can see there is
19 a blue line; this is representative of the eastern --
20 proposed eastern alignment, as well as an existing
21 69 kV transmission line follows along this same
22 alignment. And the distance from this yellow -- the
23 distance from this yellow mark -- the closest distance
24 from this yellow mark to the existing and proposed line
25 is approximately 500 feet.

1 Q. What's the electrical distance or the call
2 number for KYET?

3 A. (BY MR. RAATZ) This would be approximately,
4 I believe it is 850 feet. Again, that's based on the
5 frequency at which the radio broadcast is emitted.

6 Q. Why don't you move the tower further away
7 than 850 feet?

8 A. (BY MR. RAATZ) As you can see, this existing
9 line is placed at the base of the -- I don't know if
10 it's the Cerbat Foothills mountains along this area, so
11 we are in a valley. This tower is 200 feet, the slope
12 drops off towards the west, we're in the valley, and
13 then the slope picks up again to the top of the
14 mountain here. So there's not any room to move unless
15 we went to the top of the mountain.

16 CHMN. CHENAL: So it's 800 feet?

17 THE WITNESS: The required 850, Mr. Chairman.

18 CHMN. CHENAL: Let me just ask you. So the
19 proposed line will be how far away from the tower, the
20 KYET tower, at its closest point?

21 MR. RAATZ: 500 feet, Mr. Chairman.

22 BY MR. DERSTINE:

23 Q. And you said it's the required distance. Are
24 you saying that there undoubtedly will be interference
25 at 500 feet, given that their electrical distance,

1 their call numbers are 850?

2 A. (BY MR. RAATZ) No, I'm not saying that. We
3 have been in contact with the companies that do provide
4 detuning services. And part of the exercise that we've
5 done in helping alleviate KYET's concerns was to
6 provide them with potential locations of where we would
7 place our structures, so they evaluated those locations
8 against any interference we may cause.

9 And they came back and first they said that
10 these poles shouldn't be a problem, as this is a
11 nondirectional AM station. So therefore, the radio
12 broadcast is -- it's not concentrated in one point, so
13 nondirectional, the interference should be minimal, if
14 any.

15 And furthermore, there's two criteria that
16 they look at. It's the electrical distance, as far as
17 the electrical height. And our current electrical
18 height does not exceed the electrical height that they
19 would start to be concerned with.

20 CHMN. CHENAL: You need to explain that. I
21 know we had a person last night suggest a couple
22 things: That the towers should be no more than
23 60 feet, and that there should be detuning devices on
24 top of the structures. I have no idea what that all
25 means, so let's spend a couple minutes and break that

1 down in layman's terms.

2 MR. RAATZ: Yes, Mr. Chairman. Mr. Chairman,
3 detuning essentially would make it as if the structure
4 were invisible. And so the radio broadcast would not
5 see the structure, it would just go right through it.
6 So it is a piece of equipment that changes the
7 structure itself, not the composition, but the
8 electrical characteristics.

9 CHMN. CHENAL: And where is this equipment
10 located? Give an explanation.

11 MR. RAATZ: It is located on the structures
12 themselves. And so part of the process that we would
13 do in the design of the line is we would start -- prior
14 to anything going in service and construction, during
15 the design process we would reach out to the detuning
16 companies and have them analyze what impact we may have
17 and have them recommend what mitigation would be
18 required for this transmission line, and then we would
19 implement that as part of the overall construction of
20 the project.

21 CHMN. CHENAL: And is that -- is that piece
22 of equipment an ongoing necessity in order to keep the
23 matter -- to keep the structure invisible, as you say?

24 MR. RAATZ: Mr. Chairman, it is an ongoing
25 necessity. And I did ask regarding maintenance.

1 Maintenance is very infrequent. So there's field
2 tests -- or, excuse me -- field checks annually that
3 are conducted to ensure that that detuning device is
4 still working properly.

5 CHMN. CHENAL: Is this one of these like
6 noise attenuating headsets where it sends out a signal
7 that basically is the opposite of the signal wave that
8 basically masks it? Is it something along those lines?

9 MR. RAATZ: That is my understanding,
10 Mr. Chairman.

11 CHMN. CHENAL: And then the speaker last
12 night talked about limiting the height to 60 feet. So
13 what are the proposed heights of the towers in
14 proximity to the station and what effect, if any, would
15 that have on the potential interference?

16 MR. RAATZ: The preliminary design is
17 115 feet; however, we do have flexibility in that
18 structure height. We can limit that height as
19 necessary. And working with the detuning company we
20 would look to limit the structure height rather than
21 have detuning equipment on it.

22 CHMN. CHENAL: And what effect does the lower
23 height of the structure have on potential interference?

24 MR. RAATZ: It would eliminate potential
25 interference. The lower height would eliminate the

1 potential interference. So it's all based upon, as I
2 was saying, the frequency of the radio station, and
3 they have checks for electrical height. And that
4 electrical height is determined by the frequency at
5 which the radio station is broadcast.

6 CHMN. CHENAL: Member Hamway.

7 MEMBER HAMWAY: So there's an existing 69 kV
8 line there right now, correct, and it's 500 feet from
9 the tower?

10 MR. RAATZ: Mr. Chairman, Member Hamway, yes,
11 that's correct.

12 MEMBER HAMWAY: Okay. So why is there not
13 the issue in the current situation? I mean, upgrading
14 to 230, obviously there's more stuff in the air, but I
15 just -- I'm just curious why going -- oh, my goodness.
16 Sorry about that. Going from 69 kV to 230, why are we
17 now having this conversation?

18 MR. RAATZ: Mr. Chairman, Member Hamway, the
19 structures that are out there are in the range of
20 60 feet in height, and they may be 75 as well, between
21 60 and 75 feet in height. I am unaware of any
22 complaints that UNSE has received regarding
23 interference.

24 MR. BECK: Mr. Chairman, Member Hamway, just
25 to add to that, relative to the pole heights, we

1 probably can't get much below 80 to 90 feet just
2 because of clearance requirements. We can put more
3 poles in so we get the height down, but we won't
4 probably get it down to that 60 foot.

5 But again, we don't anticipate that there
6 will be any interference from this line to that radio
7 tower regardless. But we do have the ability and we
8 have reached out to the attenuating company; their
9 initial look at it is, there will be no problems.
10 We'll have further outreach with them as we get the
11 design more solidified, exactly where poles will be.
12 They'll run their analysis again. And if they identify
13 the need for detuning equipment, we would install that.

14 One thing we can offer up there, we've got a
15 picture or two of what that detuning equipment looks
16 like. It might be helpful -- later in our testimony
17 we'll just show that to the Committee just so you can
18 see. It's a device that sits on the pole.

19 The interference issue is, for the most part,
20 reflection or alteration of the radio signal. And if
21 you get a reflection off of the tower and it's bouncing
22 back, you get potential double signals coming into a
23 radio, with one being slightly behind the other. It's
24 kind of like our WiFi issue yesterday.

25 CHMN. CHENAL: Kind of like yesterday.

1 MR. BECK: Exactly. So all you're doing is
2 trying to detune that structure so you don't get those
3 reflections. Again, we don't anticipate it, but there
4 is a whole methodology for dealing with that.

5 And as Mr. Raatz had indicated, in Tucson we
6 have a lot of 138 kV transmission, with those lines
7 running near radio towers in Tucson; we have not had
8 any complaints.

9 CHMN. CHENAL: Of course, this will be 230.

10 MR. BECK: The 230 will be a higher voltage,
11 so it can have a little bit more issue. Some of you
12 who drove up from Phoenix may have noticed there's a
13 345 and a 500 line that parallels 93 coming most of the
14 way from Phoenix. There were also a lot of radio
15 towers along there, which you probably weren't
16 noticing, but I was noticing. They're right there near
17 those lines today at a much higher voltage.

18 So while it's a concern, the radio stations,
19 it's something new for them. They don't have 230
20 adjacent to them today. So they've got concerns, and
21 it's understandable that they have concerns; but
22 likewise, UNSE has no interest in causing problems to
23 those radio signals because our employees live in
24 Kingman and want to listen to the radio and hear those
25 announcements also. So at least rest assured that

1 we'll do everything we can, if interference occurs, to
2 deal with it. And, you know, we'll try and get ahead
3 of it; but if for some reason we miss something and
4 there is interference, we'll do everything we can to
5 get that attenuated quickly.

6 CHMN. CHENAL: So I'm going to use my little
7 laser pointer. So the proposed line is co-located with
8 the existing 69 kV line, is that correct?

9 MR. BECK: That's correct.

10 CHMN. CHENAL: In the area around the towers,
11 specifically the KYET tower?

12 MR. BECK: That is correct.

13 CHMN. CHENAL: And in terms of the distance
14 from the tower, the closest point will be 500 feet from
15 the line to the tower?

16 MR. BECK: That's currently where it would
17 be, the closest would be 500 feet.

18 And one of the things we haven't talked about
19 is this mountain range that sits just to the west of
20 that alignment is much higher than the line and/or the
21 radio tower today. So are they getting interference
22 reflections off of all the rocks on that mountain? I
23 haven't heard that that's been an issue for them. So
24 us putting a pole in front of that mountain, again, we
25 don't anticipate anything changing for the radio

1 station.

2 CHMN. CHENAL: Did someone else have a
3 question? Member Grinnell.

4 MEMBER GRINNELL: I'm looking at this on
5 here. Is it possible to move that tower back toward
6 Highway 93 on their own property a little bit?

7 MR. BECK: The radio tower?

8 MEMBER GRINNELL: Yeah.

9 MR. BECK: It may be feasible or possible,
10 but as they've indicated -- I'm not sure if they put it
11 in their public comment, but they've indicated to us
12 there's concerns about FCC requirements for -- you
13 know, they have to change their coordinates and get all
14 that approved. Again, it's doable, but there's some
15 time and maybe cost involved in that, and then physical
16 relocation of that structure would require cranes and
17 pouring of foundations and so on. But is it
18 impossible? No.

19 MEMBER GRINNELL: Okay. And then on the
20 current poles that carry the smaller amount of power --
21 what is it?

22 MR. BECK: 69 kV.

23 MEMBER GRINNELL: 69. Are they the same
24 material as the new poles that will carry the 360 --
25 or, 230?

1 MR. BECK: Yes, they are.

2 MEMBER GRINNELL: They're identical poles?

3 MR. BECK: Steel monopoles.

4 MEMBER GRINNELL: And what would be your
5 spacing between those poles? Would that have any
6 influence one way or the other?

7 MR. BECK: So there is a tradeoff on that.
8 And I know Mr. Raatz checked to see what our current
9 distances are based on Member Noland's questions. So I
10 don't know if you just want to mention what that
11 spacing was?

12 MR. RAATZ: Mr. Chairman, Member Noland, the
13 spacing of the existing 69 kV ranges between 4 and
14 500 feet.

15 MEMBER NOLAND: And what would be the average
16 distance on the newer poles?

17 MR. RAATZ: It would range between 7 and
18 900 feet. But in this area, to reduce the overall
19 height, we could reduce that span length.

20 CHMN. CHENAL: Member Noland.

21 MEMBER NOLAND: I have no clue about radio
22 towers and transmissions, but is there a difference
23 between an AM station and an FM station tower?

24 MR. BECK: There is a difference. And where
25 it's most noticeable is just -- as you drive under a

1 power line, if you're listening to an AM station, on
2 the higher voltage lines typically you'll get that
3 burst of static right underneath the line. If you're
4 listening to FM, you don't hear it. So there is a
5 difference in the waves and how they react.

6 MEMBER NOLAND: So those may be FM stations
7 you were seeing on the way up from Tucson, along in
8 Phoenix. We don't know -- I mean, you don't know which
9 tower is for an FM station or an AM station.

10 MR. BECK: I personally can't tell. A radio
11 engineer might know the difference, but, yeah, they
12 look very similar.

13 MEMBER NOLAND: Thank you.

14 CHMN. CHENAL: So one final question from me,
15 Mr. Beck. Is it the FCC -- I mean, who issues this --
16 the distance between a tower and a line? In one case
17 it was 1,150 feet, if I remember correctly, at least
18 that was the suggestion of the tower owner. But in
19 this case, I think Mr. Raatz said the electrical
20 distance was 800 or 850 feet. So who decides or issues
21 that standard and why would there be two different
22 distances depending on these two towers?

23 MR. BECK: I believe it's related to where
24 they're at in the bandwidth, are they at 99.9 or are
25 they at 100.5. So there's a difference in that

1 wavelength, so that affects that distance. I'm not
2 sure exactly who the guidelines -- they may be from the
3 FCC, but it's more of an industry kind of a guideline
4 or standard.

5 FCC deals with location and permitting and
6 interference issues. And, you know, building a
7 transmission line, you're not supposed to interfere
8 with that commerce of the radio station. And then they
9 put these guidelines out for what they think will
10 resolve issues, but ultimately it's up to both the
11 owner of the radio station and a utility to work out
12 any interference that occurs. And so even though
13 there's a guideline, you could put the structure up and
14 have interference and then have to do something to
15 mitigate it.

16 CHMN. CHENAL: Because it just strikes me
17 that if the guideline here, and I'll take it at face
18 value, is at 800, 850 feet of distance, and yet the
19 line is going to be 500 feet, and you -- I mean you
20 collectively -- are suggesting there's not going to be
21 any interference, then the standard seems inapplicable
22 in this situation or there's something wrong with the
23 standard, it's too conservative maybe or -- something
24 is out of synch there if you're going to say it's
25 850 feet, and yet you're within 500 feet, but there's

1 not going to be any interference.

2 MR. BECK: Well, again, specific to this case
3 where you've got mountains right adjacent and behind
4 this line, it changes the whole set of parameters. So
5 I think their guidelines are probably based on open,
6 clear, flat land, and ideally you're that far apart.
7 But if you've got other objects that are blocking a
8 signal anyway, it probably mitigates that. And that's
9 why we're thinking that there likely isn't anything in
10 this case.

11 BY MR. DERSTINE:

12 Q. Following up on that point, Mr. Beck, when
13 you say you likely think that there is not going to be
14 interference, that's not just your opinion as a guy
15 who's experienced in building transmission lines, but
16 not necessarily dealing with radio interference, right?

17 A. (BY MR. BECK) That's correct. But it is
18 based on the input we had from the third-party expert
19 on detuning.

20 Q. And that's the key point. We have already --
21 UNSE has already been in communication with a radio
22 frequency engineering company, we're referring to it as
23 a detuning company, about the potential for
24 interference. We've asked to get a preliminary opinion
25 concerning whether there will be any interference, is

1 that right?

2 A. (BY MR. BECK) That's correct, and their
3 indication was they don't anticipate any. But of
4 course, as any good consultant would do, they go on to
5 say, please give us your final design details so we can
6 analyze it further.

7 Q. Right. But that is also a good idea. I
8 mean, I think what I heard Mr. Raatz saying and
9 certainly one of the concerns from the radio station
10 tower is, if I have to wait until you build your line
11 and it's energized and then I have interference, that's
12 a problem, because it's going to take time to fix the
13 problem. And what we're saying is that we're going to
14 coordinate with an RF engineer, a detuning company up
15 front in the design phase of the project; am I correct
16 in hearing that?

17 A. (BY MR. BECK) That is correct. UNSE is
18 committed to reaching out -- continuing to reach out to
19 the company that -- at least the company that we looked
20 at, maybe others, to analyze whether they see any
21 interference potential. And to the extent they
22 identify that and have some kind of a mitigation
23 recommendation, we'll plan on implementing something.

24 CHMN. CHENAL: And may I ask a question here?
25 Part of that discussion with the mitigation company

1 will be not only the detuning equipment, but might also
2 be lowering the height at certain points of the
3 structures?

4 MR. BECK: That's correct, Mr. Chairman.
5 We'll give them our preliminary designs. So, for
6 example, if we have the line laid out with a 700-foot
7 span and the structures are 105 feet, they'll run their
8 analysis. And part of that response we'll expect from
9 them and put in our request for proposal is, also tell
10 us what modifications we can make in the line to reduce
11 that exposure or that potential.

12 And if they come back and say, well, if your
13 poles were only 70 feet, we think it mitigates
14 everything, we would go back, re-lay out that line with
15 the spans that would accommodate that lower structure
16 height, and then have them rerun the analysis.

17 CHMN. CHENAL: Got it. Thank you.

18 BY MR. DERSTINE:

19 Q. Mr. Raatz, anything else you want to add on
20 the KYET mitigation? Your bullet says, UNSE will
21 continue to work with KYET to ensure that if there is
22 any interference caused, it will be mitigated. I think
23 what I've heard Mr. Beck testify to is that we're going
24 to be proactive in working with an RF engineering
25 company to, if not entirely eliminate, greatly reduce

1 the risk that there would ever be any interference and
2 we're going to do that in the design phase of the
3 project, right?

4 A. (BY MR. RAATZ) That is correct.

5 Q. All right. Anything else on radio station
6 interference?

7 A. (BY MR. RAATZ) Not at this time.

8 Q. I guess my -- and I don't want to take the
9 role of testifying, but I'm just wondering, do you see
10 any reason for this Committee to be concerned about
11 adopting the eastern route because of radio station
12 interference, given your efforts to mitigate and do
13 what we can to adjust the line to eliminate the
14 potential for such interference?

15 A. (BY MR. RAATZ) Based upon my communication
16 with -- the investigation into the FCC requirements, my
17 communication with the detuning company, I do not see
18 any concern with interference caused by this project.

19 Q. And if there is any, you'll be obligated to
20 fix it?

21 A. (BY MR. RAATZ) That is correct.

22 Q. I think we're moving on to the Cunningham
23 family concerns with the eastern route. We're staying
24 with the topic of concerns with the eastern route and
25 wanted to address some of the issues that were raised

1 by the Cunningham family and Mr. Cunningham in his
2 public comment at the beginning of day one.

3 Mr. Warner, I know you and Mr. Beck are going
4 to have a hand in this discussion, but let me start
5 with you and just ask you: Why are we crossing the
6 Cunningham property to begin with?

7 A. (BY MR. WARNER) Thanks, Mr. Derstine. Let
8 me go into that. I'm going to sort of communicate here
9 with my AV people, because I want to be able to show
10 several different pieces of information on the screen.
11 The first one that I'm going to show is a land status
12 map that's found in Exhibit A-2, and so I'm going to
13 pull that up. Let's zero in here so I can show you
14 what's going on here. This is going to be a little bit
15 tight so we can see where this goes.

16 Let me first start out drawing that thread to
17 the public process and then also touch on a little bit
18 about siting and how it is done. The Committee Members
19 are very familiar with the technique of siting, on how
20 it's done, by choosing opportunities and constraints
21 and then kind of going through that process. The
22 process that I follow, we call it a different
23 terminology and there's some different ingredients for
24 it, but it starts out by identifying suitable
25 alternatives. And that's basically derived from

1 cadastral features that you can follow, like existing
2 power lines that are already there, roadways, and those
3 kinds of things.

4 When the project was first initiated, all of
5 the alternatives that we considered coming out of the
6 substation, even though we had a study area that
7 crossed on the eastern routes, were basically derived
8 to go to the west. And we were encouraged to do so
9 both initially by the BLM and by the City of Kingman,
10 which we already mentioned.

11 Once we got into the outreach process, it
12 became very clear that those eastern alternatives
13 needed to be on the table. And so when -- and we'll
14 hear that in testimony a little bit later when we talk
15 about and show you and give you some information about
16 those hearings and how that influenced our decision
17 making process. But basically in 2008 we had serious
18 alternatives on the eastern side, and the BLM was
19 committed to try to identify a corridor that used their
20 existing corridor, which was on the east side.

21 So on this land status map what you're going
22 to be able to see is some of the BLM parcels, which are
23 these that are yellowed. Now, the shadow around the
24 one that you see on this exhibit is -- that's a little
25 lighter color represents what they call the Cerbat

1 Foothills Recreation Area, but they're all BLM lands.
2 There are corridors on all of these that cross on the
3 eastern alternatives.

4 CHMN. CHENAL: Corridors, sir, we talked
5 about corridors yesterday. When you say corridor,
6 that's a --

7 MR. WARNER: Thank you for that
8 clarification.

9 The BLM, in their Resource Management Plan in
10 1993, identified corridors for utilities. And so on
11 the eastern routes the BLM -- during that hearing
12 process there was an outcry, hey, BLM, please put this
13 in a corridor on federal property. You've already got
14 corridors established. And so the BLM took that to
15 heart and they said, if we're going to invite this onto
16 the BLM property, we want to primarily use BLM
17 corridors for it. And so across this portion and on
18 Highway 93, that portion, and then also continuing all
19 the way up to Mineral Park, there's a BLM corridor.
20 And I'll talk about that a little bit later.

21 CHMN. CHENAL: And the white is what,
22 represents what, Mr. Warner?

23 MR. WARNER: Private land.

24 CHMN. CHENAL: Private?

25 MR. WARNER: Uh-huh.

1 CHMN. CHENAL: Thanks.

2 MR. WARNER: So going back to the
3 alternatives, you can see -- depicted on this in a
4 light gray line, you can see that's Highway 40, right?
5 Now, we're going to take a look at some other exhibits
6 here in just a second, but there's also an existing
7 transmission line that goes right down this area here.

8 Now, let me start by saying, Mr. Cunningham
9 has been engaged in the process since 2008. He has
10 always been an advocate for the western routes, but
11 he's also collaborated a lot and given us input on, if
12 we must cross his property, how to do so. And so we'll
13 walk through some of those exhibits that will help you
14 understand that.

15 Now, you can see this -- also a light line.
16 And I'm going to show you this in a better exhibit, but
17 I wanted to get the land status on here, Highway 66.
18 Let me show you Mr. Cunningham's property so that you
19 can get a context of that.

20 MEMBER HAMWAY: Do we have this exhibit?

21 MR. WARNER: You don't have this one, but
22 we'll get it to you.

23 Why am I not seeing it? Shoot. It was
24 working a moment ago. Let me just draw that out.

25 So let me just show you this real quick.

1 This purple -- oh, can you see it now? I apologize for
2 having my e-mail up on the list. But you can see that
3 purple area is Mr. Cunningham's property.

4 So now let me go back to -- let me go back to
5 this exhibit. What I'd like to do now --

6 MEMBER GENTLES: Mr. Chair.

7 CHMN. CHENAL: Yes. Who is asking?

8 MEMBER GENTLES: Member Gentles.

9 May I see that map of the Cunningham property
10 again?

11 MR. WARNER: Yes.

12 MEMBER GENTLES: That was put up there pretty
13 quickly and taken down.

14 MR. WARNER: I'm going to try to close off
15 some of these things so you can see it a little bit.

16 So this is the Cunningham property here
17 that's related in purple. So the base of that valley,
18 again, right here you can see -- this is I40, it's up
19 here on the left. There's an existing transmission
20 line here. The tower that we've been talking about,
21 KAAA, is approximately in this location right here.

22 CHMN. CHENAL: Let me stop you, Mr. Warner.

23 Mr. Raatz or Mr. Beck, for the benefit of the
24 people that are on the Zoom, can you use a pointer and
25 show where Mr. Warner is pointing? Because the people

1 on the Zoom can't see the green dot, the laser pointer
2 that Mr. Warner is using.

3 MEMBER GENTLES: Thank you, Mr. Chairman.

4 MR. MOELLER: Since he's on his iPad, I can't
5 add to that.

6 CHMN. CHENAL: I see.

7 So Mr. Warner, if you'd just try to be
8 precise when you're describing where your green pointer
9 is so that people can follow. Because they just see
10 the map, they don't see the green dot.

11 MR. WARNER: Okay. So there's a black dash
12 line that comes from the south and then crosses across
13 Highway 66. That represents the alignment that is
14 currently in the eastern alternatives. Near Highway
15 40, along that line, that's the area of Cook Canyon.
16 We're going to see this in a drone image in a moment,
17 but I just want to show this exhibit to show you where
18 his property is. Cook Canyon lays next to I40. At the
19 bottom, near the intersection of I40 and Highway 66,
20 there's an open area. And it's that open area contains
21 the -- on the north side of the road that contains the
22 tower. So you can see in the purple, Cook Canyon,
23 which is represented bordering I40 on the left, is
24 owned by the Cunningham family.

25 CHMN. CHENAL: So if I could just assist the

1 people watching on Zoom, it's the lower -- it would be
2 the southwest portion of the purple around the
3 Number 301-09-011, is that correct?

4 MR. WARNER: That is correct. And there are
5 a number of properties that are nested in there, and
6 they're shown by their APN numbers there. And so
7 301-08-12 is on the top and 301-09-11 is on the
8 bottom, and then on the right there's 301-07-001.
9 And those are the parcels that the Cunningham family
10 owns, including some of those that are inside of that
11 area.

12 You can see an inholding there that's not one
13 of the Cunningham properties, it's where the trailer
14 park is, and I believe the number for that is
15 301-08-015. And that's not owned by the Cunningham
16 family.

17 So let's move -- and the point I wanted to
18 make here with this is that those alternatives that we
19 considered opportunities or suitable were crossing over
20 the Cunningham parcel near I40. That constituted that
21 utility corridor extension that he actually refers to
22 in his letter as an appropriate place if you stay in
23 there close to I40, and we'll talk about how that
24 migrated into the other route that you've got up on the
25 hill.

1 BY MR. DERSTINE:

2 Q. Mr. Warner.

3 A. (BY MR. WARNER) Yes.

4 Q. Looking at your purple and green map, so the
5 black dotted line that's coming from the top that
6 extends down, it's in the green, looks like there's two
7 different parcels in green, am I right?

8 A. (BY MR. WARNER) That's correct.

9 Q. And then the dotted line showing the proposed
10 alignment for the eastern preferred route, extends into
11 the purple, that's the Cunningham property, right?

12 A. (BY MR. WARNER) That's correct.

13 Q. Who's the landowner that owns the green
14 above, using the diagram, the Cunningham-owned purple
15 property? And I don't need a name necessarily, but
16 that's a different private landowner?

17 A. (BY MR. WARNER) That is a different. Wayne
18 Smith.

19 Q. And has Mr. Smith indicated that they oppose
20 the eastern route or commented at all on the EA process
21 or the CEC process?

22 A. (BY MR. WARNER) I think they have commented
23 on the process, and they prefer the western routes.

24 Q. But you're going to get back to and answer my
25 question why we're crossing this purple and green

1 property, right?

2 A. (BY MR. WARNER) That is right?

3 A. (BY MR. BECK) Mr. Chairman, if I may, before
4 we move from this particular picture. We've gone back
5 and forth on corridor. I think on a go-forward basis
6 it would be better, from the company perspective, to
7 talk about our existing opportunities as right-of-way.

8 And so UNSE has a right-of-way that's
9 adjacent to and just east of Interstate 40, and you'll
10 see that in further testimony. But that was kind of an
11 original consideration: For the eastern route, let's
12 utilize that alignment. It's an old 69 kV circuit,
13 it's not energized at 69 today, not that that matters,
14 but that is a right-of-way that could be used.

15 In part of the outreach with the Cunningham
16 family, we talked about that. And the Cunninghams
17 said, no, we'd rather get it closer to or in the ADOT
18 right-of-way, off of that strip, that edge of property,
19 where we already have right-of-way.

20 CHMN. CHENAL: So further to the east?

21 MR. BECK: Further to the west from where it
22 exists. So right now it's just on the east of the
23 Interstate 40, but on the private land.

24 CHMN. CHENAL: So where is the -- I'm sorry.
25 Where is the existing right-of-way for the deactivated

1 69 kV line, deenergized line?

2 MR. BECK: It is adjacent to and just east of
3 the I40 right-of-way.

4 CHMN. CHENAL: Right. So Mr. Cunningham
5 preferred, instead of using that existing right-of-way
6 just to the east of I40, to move the line further to
7 the east?

8 MR. BECK: Well, I think his first preference
9 was to move it further to the west and put it right in
10 the ADOT right-of-way, get it off of their property,
11 and then his second choice was to move it further east
12 up on the mesa.

13 CHMN. CHENAL: Okay. Thank you.

14 MR. WARNER: Yeah. In sum, that's what -- if
15 you turn to Exhibit -- let's use his own words here,
16 since he's not able to speak to this directly -- UNSE
17 Exhibit 36. So in 2017 we formalized -- we walked the
18 property with Mr. Cunningham in 2008 towards the end,
19 and I think his position was more or less the same
20 there, go west, or if you are going to come east, this
21 is how I want you to do it. And this is summarized
22 here, and I think it's congruent with his letter most
23 likely.

24 In that second paragraph he says, "This
25 route" -- in referring to -- in referring to -- "This

1 route would follow the freeway and be part of the
2 transportation and utility corridor where power lines,
3 freeways, and pipelines ought to go."

4 And then towards the last paragraph he says,
5 and this is to Ed's comment, "Cunningham Number 1" --
6 and this is, again, only if we're coming east across
7 Mr. Cunningham's property, he obviously favors the west
8 -- "along the ADOT freeway right-of-way or western
9 subroute from Pole 27 north along the ADOT
10 right-of-way." Now, let me describe that area.

11 And I'm wondering if while I'm doing this if
12 you could bring up the drone footage and then the
13 ability to do the 360 photograph so we can look at some
14 of the infrastructure there.

15 His exhibit there that's on -- Exhibit 36
16 also contains a map with red circles on it. And so the
17 top one that crosses his property furthest to the north
18 is referred to as Structure 35 or Red Dot 35. Do you
19 see that on your diagram?

20 CHMN. CHENAL: And what are you looking at,
21 Mr. Warner, again, please?

22 MR. WARNER: Exhibit UNSE-36.

23 BY MR. DERSTINE:

24 Q. And let's, for the record identify, UNSE
25 Exhibit 36. It's an e-mail dated Wednesday, July 26,

1 2017 from Mr. Patrick Cunningham to Renee and Andy,
2 that's Renee Darling at TEP dot com and it shows Mark
3 Whitefield. I don't know who Andy is, but that's who
4 it's addressed to.

5 A. (BY MR. WARNER) That's the BLM project
6 manager for Lands and Realty. So he was managing the
7 EIS -- or, I mean, the EA for the BLM.

8 So Red Dot Number 35 that's depicted on that
9 diagram is what he's referring to as Pole 35, right.
10 And then 20 -- what is it -- 27 you can see is just
11 south of -- is just south of Highway 66. It's on the
12 opposite side. So that's outside of Mr. Cunningham's
13 property. Let me illustrate those for you.

14 Ed, do you want to point to where those are
15 kind of?

16 A. (BY MR. BECK) So that was this one down here
17 you were referring to?

18 A. (BY MR. WARNER) It's a little bit further
19 south. But what he was suggesting is coming basically
20 from here and heading back on the other side of this
21 hill.

22 CHMN. CHENAL: And Mr. Warner, are you --

23 MR. WARNER: Right there. Can you see that
24 pointer?

25 CHMN. CHENAL: Right. Mr. Warner, quick

1 question.

2 MR. WARNER: Yes.

3 CHMN. CHENAL: Are you going to be describing
4 Cunningham 1 preferred or Cunningham 2 preferred?

5 MR. WARNER: I'm going to go through all of
6 them.

7 CHMN. CHENAL: Okay. So right now we're
8 going to talk 1?

9 MR. WARNER: Cunningham 1. This is his
10 preferred route if we're on the east.

11 So you go from that location. Now let's walk
12 up the canyon here, go up Cook Canyon, to the left.
13 Okay. So there you go. Now, pan over to the right
14 just a little bit so we get some context here. This
15 right here, wedged between that large open space that's
16 been bladed and the trailer park over to the right,
17 that's KAAA. That's the tower.

18 Running along here, if you can -- and we'll
19 get a better view of this in a minute with a 360 photo.
20 But this is where -- this alignment right here is the
21 ADOT right-of-way, of course. I'm going to talk about
22 ADOT right-of-way first.

23 Pull all the way up to the north part of the
24 ADOT right-of-way, the north part of Cook Canyon. This
25 is a problem right here. This is a very steep slope

1 right here and a very steep cut right here.

2 So the first alternative -- there you go, you
3 can see that. So now we're looking up to the canyon.
4 You see some disturbance here, though. Do you see
5 that? That's the 69 line right there that runs also up
6 Cook Canyon right there.

7 Pull back a little bit. Stay low. Stay low.
8 Yep, there you go.

9 Okay. So first alternative, his first
10 preference was, come south of Highway 66, stay next to
11 the road where they ought to be.

12 Second alternative --

13 BY MR. DERSTINE:

14 Q. Can I stop you there?

15 A. (BY MR. WARNER) Yeah, sure.

16 Q. You talked about how steep it was. Why isn't
17 it on the road -- on the I40 right-of-way?

18 A. (BY MR. WARNER) So Route 1 --

19 Q. Preference 1?

20 A. (BY MR. WARNER) Preference 1 was brought up
21 with the BLM and with ADOT independently by us and by
22 the BLM to convey the preference to be able to use the
23 ADOT right-of-way, and they rejected it out of hand.
24 And so it was eliminated from further consideration
25 even in the EA. And so that's basically what it was,

1 because it was kind of a nonstarter.

2 Q. So Mr. Cunningham's Preference Number 1 in
3 having the eastern route come along or near to his
4 property was, put your new 230 line in the ADOT
5 right-of-way along I40, is that right?

6 A. (BY MR. WARNER) That's correct.

7 Q. And ADOT said, you can't build it here
8 because of -- it's too close and we have restrictions
9 on having utility structures within some distance of,
10 in this case, an interstate freeway?

11 A. (BY MR. WARNER) It had more to do,
12 Mr. Derstine, with the constructability that they would
13 accept on that steep hillside. So they said no for
14 some of the reasons that you described, but also
15 because they considered it impractical to have it in
16 their right-of-way under these conditions.

17 Q. For my benefit, the Cook Canyon, what we're
18 describing as Cook Canyon, that Mr. Cunningham has said
19 and we have several letters where they continue to
20 indicate, we gave at the office, we already have I40
21 going through our otherwise scenic Cook Canyon -- show
22 me Cook Canyon. What's the entire area of Cook Canyon?

23 A. (BY MR. WARNER) So it's this area here just
24 to the right of the interstate.

25 Q. Well, where is the left side?

1 A. (BY MR. WARNER) The left side is I40. It
2 kind of climbs up on the Cerbat Foothills right there.
3 So you can see -- in this photograph or this display of
4 a Google flyover, you can see the steep incline up on
5 the Cerbat Mountains over here on the left, and so Cook
6 Canyon is basically to the right of that. So you can
7 see I40 actually drops into Cook Canyon, and then it
8 continues to fall into the valley of Cook Canyon. So
9 I40 is kind of up on the hillside just a little bit as
10 it climbs down there, but this is Cook Canyon.

11 Q. So looking at your Google Earth photo that's
12 currently on the right screen in the hearing room, that
13 left rise on the edge of I40, isn't that the boundary
14 of Cook Canyon?

15 A. (BY MR. WARNER) Yes, that's true.

16 Q. And I40 cuts right through there?

17 A. (BY MR. WARNER) That's right.

18 Q. And UNSE didn't have anything to do with the
19 placement of I40?

20 A. (BY MR. WARNER) That's correct.

21 Q. And then on the right side, where's the right
22 edge of Cook Canyon?

23 A. (BY MR. WARNER) So the right edge is right
24 here, and you can see that it rises up. The boundary
25 is -- so it spills out and then has a trailer park, you

1 can see it onto the right, and then that flat area
2 that's more industrial on the left. So that's
3 basically the edge of Cook Canyon, right where the
4 radio tower is, KAAA.

5 Q. So if I'm looking at your screen on the left,
6 your purple and green land ownership map, that wedge of
7 purple is -- can you show me that on the right Google
8 screen?

9 A. (BY MR. WARNER) So it's going to cover
10 basically that area on the bottom of the canyon, almost
11 in its entirety, right up to the ADOT right-of-way.

12 Q. And there is another canyon that they refer
13 to as Box Canyon. Where is that?

14 A. (BY MR. WARNER) So Box Canyon is just to the
15 right of the blue line that's depicted as the
16 alignment, and then there's a --

17 So drop down so you can see the topography a
18 little bit. Are you doing that, Osmer? Yeah, there
19 you go.

20 So this depicts how Box Canyon is oriented in
21 relationship to the line.

22 Q. Okay. Now go back over to Cook Canyon side
23 of the ridge and the trailer park. Someone else owns
24 the trailer park, right?

25 A. (BY MR. WARNER) That's correct.

1 Q. But the trailer park is a -- sits as part of
2 or at the boundary of Route 66. That's Route 66 there,
3 correct?

4 A. (BY MR. WARNER) That's correct.

5 Q. And so that's the boundary for Cook Canyon in
6 the plan, although there's nothing -- what
7 Mr. Cunningham has expressed is the plans for this area
8 of Cook Canyon is a mixed residential and commercial or
9 business development. Can you show the Committee where
10 generally that would be?

11 A. (BY MR. WARNER) So as -- and I'm going from
12 recollection on our field walk. He intends to have
13 some development down here, and it makes the most sense
14 that this would be industrial or light industrial down
15 in this, maybe commercial. And so that was his intent,
16 that this area would some day maybe be developed into
17 that kind of a development.

18 Q. And then the Box Canyon is intended -- he's
19 expressed may be a potential location for a residential
20 development?

21 A. (BY MR. WARNER) That's correct. That's
22 correct. And that's the Box Canyon area, and at the
23 back of Box Canyon is where the lines cross.

24 CHMN. CHENAL: Member Grinnell has a
25 question.

1 MEMBER GRINNELL: Forgive my ignorance, but
2 where is Kingman in relation to this?

3 MR. WARNER: So zoom out a little bit so that
4 we can see it. There you go. Zoom out just a little
5 bit more so you can see that. Not that far. A little
6 closer. A little closer.

7 So you can see Highway 66. It kind of comes
8 back down to this back way right there.

9 MEMBER GRINNELL: 40 goes into Kingman,
10 doesn't it?

11 MR. WARNER: Yes, that's right. And 40 is on
12 the other side. So this is Interstate 40 here.

13 MR. BECK: Show them 93 there where it
14 crosses. 93.

15 MR. WARNER: Oh, yeah. And this is 93 here.
16 So let's go back down. I want to --

17 CHMN. CHENAL: Member Noland has a question.
18 Sorry to interrupt.

19 MEMBER NOLAND: Please, can you go back down
20 below 21 and zoom in. Now to the left. There. Show
21 me the location of the 69 kV right-of-way and line.

22 MR. WARNER: Okay. Let's do a couple of
23 things, because I think there's a couple ways. So get
24 at a better --

25 MEMBER NOLAND: I can't hear you. I'm sorry.

1 MR. WARNER: I'm sorry. I was giving
2 instructions to our staff on how they could orient it
3 better.

4 So the 69 line comes right through here.
5 Now, let's get to the area -- I think we've got a 360
6 camera here, drone footage, so you can see that a
7 little bit better. Don't we have one over there? Is
8 that the closest one? No, I don't think that that's
9 it.

10 MEMBER NOLAND: Well, I don't really need to
11 see it on the drone. I want to see it back on that map
12 and with relation to another -- see the -- I don't have
13 a pointer. But by the trailer park -- in between the
14 trailer park and the -- thank you. This area between
15 the trailer park and the proposed maybe industrial
16 area, is this a wash?

17 MR. WARNER: No. That's the --
18 Mr. Cunningham's brother lives in this facility, and so
19 that's his access road.

20 MEMBER NOLAND: Okay. But then the 69 kV is
21 to the left of the proposed industrial area?

22 MR. WARNER: That's correct.

23 MEMBER NOLAND: Okay. Thank you.

24 MR. DERSTINE: Can you go back out again,
25 please. I'm sorry. Can you use this -- and maybe even

1 go even further out. Use this and go back to my
2 original question: Why are we crossing his property?

3 A. (BY MR. WARNER) Because in order to access
4 the BLM's intended use to use corridors, we had to
5 cross private property. It's not connected on the
6 eastern side.

7 Q. So show me the end of the BLM property and
8 right-of-way where we leave the BLM right-of-way.

9 A. (BY MR. WARNER) Okay. Can you bring up a
10 land status map?

11 Q. Well, can you generally just use Google
12 Earth?

13 A. (BY MR. WARNER) Oh, yeah, I certainly can do
14 that. So the BLM parcel is --

15 If you go further south, if you would, Osmer.
16 Go further south on your exhibit on the right.

17 Let me, in general, speak. It's over here on
18 the opposite side once we cross over 93 -- I40, and
19 then on the left side of 93. There is some private
20 land right here at the junction. "Private land"
21 meaning the County owns some property, the City owns
22 some property, and then it climbs up to BLM property
23 here. So along Highway 93 for much of that route it's
24 on BLM property. Then also coming out of McConnico
25 substation down to the south, south of Highway 66,

1 there's BLM property there.

2 So in order to bridge the gap between those
3 two corridors --

4 There you go. Go south just a little bit,
5 Osmer, if you would. There you go.

6 In order to bridge the gap between those two
7 corridors, we've got to cross over some property here.

8 Q. So the light green shows BLM land ownership?

9 A. (BY MR. WARNER) Yeah. Anything that's sort
10 of in that yellow cast, either bright yellow or brown
11 yellow. It's just got different management activities
12 that they're performing there.

13 MEMBER NOLAND: Mr. Chairman.

14 CHMN. CHENAL: Yes, Member Noland.

15 MEMBER NOLAND: You may have said this
16 before, but refresh my memory if you did. Why didn't
17 you use the 69 kV right-of-way that's near the highway?

18 MR. WARNER: We haven't quite got to that
19 point yet, but it's a very good question.

20 MEMBER NOLAND: But inquiring minds want to
21 know.

22 MR. WARNER: Yeah, you're already there.

23 BY MR. DERSTINE:

24 Q. Mr. Warner.

25 A. (BY MR. WARNER) Yeah, go ahead.

1 Q. The short answer to Member Noland's question
2 is: Mr. Cunningham told us his preference was to put
3 it high on the mesa. Isn't that the short answer?

4 A. (BY MR. WARNER) That's right.

5 Q. We'll give some more background to that in a
6 minute. But the short answer is: Mr. Cunningham's
7 preference was to put the line high on the mesa, where
8 we're showing it, as opposed to following the 69
9 alignment, right?

10 A. (BY MR. WARNER) That's correct. Yeah,
11 that's correct.

12 Q. And you'll talk more about that in a minute.
13 But getting back to my original question, we're
14 crossing Cunningham's property because we need to get
15 from BLM land that has a BLM corridor on the other side
16 of 40 and somehow get down to this leg here on the
17 other side of 66?

18 A. (BY MR. WARNER) That's correct.

19 Q. And the other side of the railroad track?

20 A. (BY MR. WARNER) That's correct.

21 Q. And that becomes BLM land and then you're
22 back in a BLM corridor?

23 A. (BY MR. WARNER) That's correct.

24 Q. And was there any other better way to cross
25 and to get from BLM land on the left side of the screen

1 to the BLM land on the southern right portion of the
2 screen?

3 A. (BY MR. WARNER) We looked at a lot of
4 alternatives, and the answer is no.

5 Q. Okay. Thank you. You can go back to talking
6 about the preferences.

7 MEMBER HAMWAY: I have a -- Mr. Chairman.

8 CHMN. CHENAL: Member Hamway.

9 MEMBER HAMWAY: On the first day
10 Mr. Cunningham said that the EA has not been officially
11 submitted by the BLM. So can you talk to that and why
12 hasn't it and your --

13 MR. WARNER: Yeah, let's touch on that just
14 for a minute, because I think that is relevant to us
15 looking at the routes.

16 The BLM has issued the draft, and they're
17 ready to do what they call is the final documentation,
18 which is actually executing a FONSI, a decision record.
19 So there's no more analysis that needs to be done.
20 That's done. All they need to do is say, this is what
21 we've decided.

22 Now, as part of the issuance of that EA they
23 said, this is our preference. We intended to offer
24 that as our preferred. But they have not -- they've
25 held back just that last step, and I think they're

1 doing that in deference to this Committee. I think
2 also once they do that, then they can just issue a
3 right-of-way. So there's not additional analysis
4 that's necessary as part of that process.

5 MEMBER GENTLES: Mr. Chairman.

6 CHMN. CHENAL: Yes, Member Gentles.

7 MEMBER GENTLES: I just have a question about
8 the alignment that ADOT said was a nonstarter, which
9 was going up I40. And I think there's some ridge line
10 there that became steep or difficult to place a line
11 in, is that what I heard? And is that the reason why
12 they said using their right-of-way right up along I40
13 was a nonstarter?

14 MR. WARNER: That's correct. I think if
15 you --

16 MEMBER GENTLES: And so --

17 MR. WARNER: Go ahead.

18 MEMBER GENTLES: My apologies. So is it a
19 safety in construction issue or is it a cost issue in
20 that area?

21 MR. WARNER: I'm not sure that I can pin that
22 down specifically. I'm not sure how they ultimately
23 concluded it, but the way it was explained to us is
24 that it was too steep on both sides and they didn't
25 want it there. And so I don't think it -- they don't

1 manage the construction costs of UNS, so I think it
2 would be unlikely that they would be sensitive about
3 what UNS had to do. But I think it had to do with how
4 they wanted to manage their own right-of-way that they
5 rejected it.

6 BY MR. DERSTINE:

7 Q. On that issue, Mr. Warner, will you turn your
8 attention to UNSE Exhibit 39, please?

9 A. (BY MR. WARNER) Certainly.

10 Q. I think the bottom -- UNSE-39 contains two
11 e-mails. The bottom e-mail is from Anthony Martinez,
12 AZDOT e-mail address, to Brent Aaron at UESAZ dot com,
13 and there's a number of people who are copied. Do you
14 see that?

15 A. (BY MR. WARNER) Yes.

16 Q. And Mr. Martinez says, "Aaron, according to
17 the policy for accommodating utilities on highway
18 rights-of-way, new utilities will not be permitted to
19 be installed longitudinally within the access
20 controlled corridor. See attached. Thank you." Did I
21 read that right?

22 A. (BY MR. WARNER) That's correct.

23 Q. Does that give any better understanding or
24 color about ADOT's decision?

25 A. (BY MR. WARNER) Yes. I think the finer

1 point is that what constituted the specific safety
2 concern is unknown. I think that that's probably at
3 the heart of that guidance and the heart of their
4 decision.

5 MEMBER GENTLES: Mr. Chairman.

6 CHMN. CHENAL: Member Gentles.

7 MEMBER GENTLES: So does this e-mail or
8 information apply to the entirety of that I40 ADOT
9 right-of-way or just in that particular area?

10 MR. WARNER: We don't have any other
11 alignments that are in their right-of-way. So all of
12 the other alignments are outside of their right-of-way.

13 MEMBER GENTLES: So my question, I guess --
14 maybe I'm not understanding it fully. But the ADOT
15 right-of-way is all along that I40 interstate, is that
16 correct?

17 MR. WARNER: That's correct.

18 MEMBER GENTLES: And so the portion of that
19 right-of-way, at least from previous conversations, in
20 the area up on the north side, I forget which dot it's
21 closest to, where it's a challenge to build because of
22 the steepness or the terrain, are they suggesting that
23 the entire right-of-way is off limits, or if it would
24 not be for that section of right-of-way that would be a
25 possible acceptable use?

1 MR. WARNER: The way I read their language,
2 it's more far reaching. So it's intended to have it
3 outside of their right-of-way.

4 I think the thing that makes this constraint
5 even more difficult is that the land pinch there makes
6 it so that you really don't have anywhere to move, you
7 know. So you're either -- and that creates the
8 challenge.

9 MEMBER GENTLES: Thank you.

10 MEMBER GRINNELL: Mr. Chairman.

11 CHMN. CHENAL: Yes, Member Grinnell.

12 MEMBER GRINNELL: Forgive me. Early on you
13 said the preferred eastern route was to parallel the
14 current 69.

15 MR. WARNER: That's correct.

16 MEMBER GRINNELL: And now we're saying, but
17 we can't do that here?

18 MR. WARNER: That's correct.

19 CHMN. CHENAL: That was the Cunningham
20 preferred route.

21 MR. BECK: Mr. Chairman, Member Grinnell,
22 the UNSE initial position was, in this area
23 specifically, to connect the two corridor pieces on BLM
24 land. Our existing right-of-way along Interstate 40,
25 that old 69 kV line, made sense to utilize that,

1 rebuild that, and make that our project.

2 When we met with Mr. Cunningham, he
3 specifically said, I don't -- that is my third option
4 on my list. I would prefer that you move the line over
5 to the ADOT right-of-way. This is assuming only the
6 east route got approved. He didn't like the east route
7 in general. But if it was going to be the east route,
8 move it over to the ADOT right-of-way.

9 As a result of the discussion we had with
10 him, we did reach out to ADOT, got that e-mail back,
11 and they don't want us in the ADOT right-of-way.
12 Typically, wherever there's this access control issue,
13 they don't want longitudinal facilities. It's
14 different for crossings. But anything longitudinal
15 along the highway, they don't want that.

16 So Mr. Cunningham -- and I'm kind of jumping
17 on where Mike was going. But Mr. Cunningham then said,
18 well, okay, if ADOT isn't available, my preference is
19 to go up on top of the bluff or the hill or the mesa to
20 the east. And then if that doesn't work, then he would
21 accept or be willing to go with our existing 69 kV
22 alignment where we had some right-of-way. We still
23 would have expanded the width of that right-of-way to
24 accommodate 230, but the landowner preference was --
25 that was his third preference. ADOT first, up on top

1 of the hill second, where it's at third.

2 And so we accommodated his request and moved
3 our alignment up on to the hill. He still doesn't like
4 it going across his property, and he's raised his
5 concerns. We're going to talk more about some outreach
6 we did with him to show some alternatives on top of
7 that mesa. And in the end, after that discussion, he
8 kind of fell back to, well, if it's going to be on the
9 east, I like the preferred. Again, not that I like the
10 preferred, but if it's going to be on the east, he
11 would rather see it there.

12 MEMBER GRINNELL: So assuming we go over the
13 top of Mr. Cunningham's property with this, we're still
14 -- now we have two parallel utility lines, a 69 and a
15 230, is that correct?

16 MR. BECK: We will have that existing line
17 that used to be a 69, now is serving a distribution
18 purpose. I suspect it's serving his brother's house.
19 And so that line would still be there as a distribution
20 service to that location, and then the 230 would be up
21 on top of the hill. So there will be two facilities:
22 One providing service to a customer specifically, and
23 the other would be the transmission line.

24 MEMBER GRINNELL: Then where were you talking
25 about cutting the poles down or something?

1 MR. BECK: This is farther to the north, up
2 along Highway 93 north of Kingman. So we're going to
3 talk about that further too.

4 MEMBER GRINNELL: Thank you.

5 CHMN. CHENAL: Member Noland.

6 MEMBER NOLAND: Mr. Beck, on the location on
7 top of the hill, would you access that and build that
8 using helicopters, or would you try and cut some kind
9 of road in?

10 MR. BECK: We would be building roads into
11 those sites. The poles are very heavy; we'd prefer not
12 to set those by helicopter.

13 We've had some very preliminary discussion
14 with Mr. Cunningham, and I think he's provided some
15 comments and some written documentation, that as we go
16 down the path of right-of-way, if this becomes the
17 route, that there's some opportunities for us to build
18 the road such that they would actually serve some
19 purposes he might have in the future. And also some of
20 his early comment was, for the access on the north end,
21 there may be some alternatives to get into that north
22 end with roads. And so he has some thoughts on that
23 too.

24 MEMBER NOLAND: Thank you.

25 MR. WARNER: Yeah. So I think Ed summarized

1 basically what the process is, and you can see that in
2 the comments. Preference 2 is listed in that
3 paragraph --

4 BY MR. DERSTINE:

5 Q. Are you referring to Exhibit 36, Mr. Warner?

6 A. (BY MR. WARNER) Thank you. Yes, I am.
7 Exhibit 36. Preference 2 is "The hilltop route laid
8 out between and along Poles 29 through 35. We realize
9 this may require an access road from the north along
10 the blue line dotted line on the map below."

11 And then Preference 3, "Along the current
12 route of the" -- and he says, "60 kV line through Cook
13 Canyon, north past KAAA antenna on the western property
14 line, between the two houses and up to the Pole 35 to
15 cross the I40 freeway."

16 Now, because -- and swiftly to answer your
17 question, Mr. Derstine, why we're crossing him, he owns
18 that block of land that is not reasonable for us to
19 bypass. And so working with him, we tried to identify
20 an alternative that was suitable for him to give us a
21 priority on, and we followed those instructions.

22 MEMBER NOLAND: Mr. Chairman.

23 CHMN. CHENAL: Member Noland.

24 MEMBER NOLAND: So I just want to kind of
25 wrap my head around this. Mr. Cunningham's family

1 prefers that you go to the west, that's number one.

2 MR. WARNER: Yes.

3 MEMBER NOLAND: Then in his letter the -- if
4 you don't go to the west, then they wanted Number 1
5 preference for the ADOT right-of-way, which has been
6 nixed by ADOT. Number 2 is the hilltop route, and then
7 Number 3 is the 69 kV line right-of-way. Have I stated
8 that correctly?

9 MR. WARNER: Yes.

10 MR. DERSTINE: You are entirely correct.

11 MEMBER NOLAND: Okay. Because I think we
12 were missing their first preference, which was the
13 west. And now we're going to, if you don't do the
14 west, here are my three preferences in order.

15 MR. WARNER: That's correct.

16 MEMBER NOLAND: Okay. Thank you.

17 MR. DERSTINE: I mean, there should be no
18 confusion about the fact that Mr. Cunningham and the
19 other members of the Cunningham family who own the
20 parcels shown in purple on the left screen don't like
21 the eastern route, they don't support the eastern
22 route. They believe that this project should go to the
23 west, for the reasons that Mr. Cunningham stated in his
24 public comment on day one. But he has -- we have
25 continued to reach out to Mr. Cunningham to at least

1 gain an understanding of what their preferences would
2 be with regard to location and the siting of the line
3 if the eastern route were selected, and that's what
4 resulted in the communication that's marked as
5 Exhibit 36.

6 MR. BECK: Mr. Chairman, Member Noland, and
7 others, just pointing out on Exhibit 36, the map, one
8 of the points -- Mr. Derstine asked, well, why go
9 across Cunningham versus elsewhere? Just look at the
10 developed -- or, planned developed land east of
11 Highway 66. It's all laid out for development. The
12 Cunninghams have not as yet platted the land. And I
13 understand he's got some plans for it and some
14 thoughts. But when we were doing this layout, all of
15 those existing plats existed and were known, so that
16 kind of drove us back to this open land here.

17 And typically, I know landowners don't like
18 to hear this, but once a transmission line is in place,
19 people will choose to live there or not and build their
20 houses and so on. But if they already live there, they
21 are much more objectionable for that construction.

22 And one other point. Mr. Cunningham
23 mentioned that, if you look up on the screen, today the
24 line runs right in between his brother's buildings
25 here. He mentioned that the line is roughly 35 feet

1 from the kitchen window. So that's probably the basic
2 reason why they don't really like that alignment. It's
3 not at the top of their list.

4 CHMN. CHENAL: Member Haenichen.

5 MEMBER HAENICHEN: That goes right to my
6 question I wanted to ask. And I kind of surmise it
7 must have to do with the brother's property, because
8 otherwise that's an ideal way to go, as far as I can
9 tell.

10 MR. BECK: Yeah. And just to further that a
11 little bit, we had the outreach with Patrick Cunningham
12 about the options up on top of the mesa and do we push
13 it a little bit to the west or do we stay where it was.
14 And while from a Box Canyon perspective, which is his
15 property, moving it west is better for him from a
16 viewshed standpoint, I think there were some
17 discussions within the Cunningham family that
18 recognized that if it moves west, then in particular
19 his brother is going to be looking at this line all the
20 time, and he lives there today. And then it's also
21 closer to 40, so there will be more view.

22 So in the end Mr. Cunningham came back and
23 said, well, we kind of -- if it's going to be on the
24 bluff, where you've got it as the identified alignment
25 is okay.

1 CHMN. CHENAL: I bet those were interesting
2 conversations.

3 MR. BECK: They were very civil, very good
4 conversations.

5 CHMN. CHENAL: We can't ask Mr. Cunningham to
6 explain the conversations he had with his brother,
7 but...

8 MR. DERSTINE: Yeah. That, we don't know.
9 But I will say, for the record, that Mr. Cunningham has
10 been very -- not only a very cordial and nice person to
11 work with as the spokesman for his family, but they've
12 been gracious enough to take us out onto the property
13 on at least three occasions to show us, from their
14 perspective, what their concerns are. And we've done
15 our best to try to understand that and do what we can
16 to try to minimize the impacts.

17 So we can get more into some of the siting
18 options on the Cunningham property, but I think we're
19 up against your lunch break.

20 CHMN. CHENAL: We're getting real close to
21 it. Is this a good time to take an hour-long lunch
22 break?

23 MR. DERSTINE: I think it would be.

24 CHMN. CHENAL: All right. Let's meet back
25 here at 1:15 and we'll take our lunch break.

1 (Off the record from 12:17 p.m. to 1:29 p.m.)

2 CHMN. CHENAL: Anything we need to discuss
3 before we go back on the record -- well, we're on the
4 record -- but go back live to the testimony?

5 (No response.)

6 CHMN. CHENAL: If not, Mr. Derstine, if you
7 want to proceed.

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

9 BY MR. DERSTINE:

10 Q. Mr. Warner, with left off and -- you covered
11 for us the reason why the eastern route is crossing the
12 Cunningham property is to get from one BLM utility
13 corridor to another, as I understand it, is that right?

14 A. (BY MR. WARNER) Yes, that's correct.

15 Q. And you went through Exhibit 36, which is an
16 e-mail from Patrick Cunningham which memorialized some
17 discussions I think that took place on a walk or a
18 visit to the Cunningham property, Cook Canyon and Box
19 Canyon. I'm not sure if you walked both of them, but
20 it was a visit to the property. And in that July 26,
21 2017 e-mail, Mr. Cunningham expressed the ranking of
22 preferences for crossing the Cunningham property. Do I
23 have that right?

24 A. (BY MR. WARNER) That's correct.

25 Q. And you went through that preference Number 1

1 was ADOT right-of-way. We covered ADOT has a policy
2 that prohibits placement of utility structures
3 longitudinally within the ADOT right-of-way.
4 Presumably that means you can cross ADOT right-of-way
5 and freeways, but you can't place structures within the
6 right-of-way following the road, is that right?

7 A. (BY MR. WARNER) Yes.

8 Q. Okay. We then talked about the -- which I
9 gather would have been Transcon's and/or UNSE's
10 preferred alignment, which would have been following
11 the existing transmission line, the 69 kV line that you
12 showed us in Box Canyon -- I mean, in Cook Canyon,
13 right?

14 A. (BY MR. WARNER) That's correct.

15 Q. But Mr. Cunningham, in his July 27 e-mail,
16 indicated, no, that would be our last preference. Our
17 second-to-last preference, after ADOT, would be to
18 place the line higher up on the mesa or the ridge. Do
19 I have that right?

20 A. (BY MR. WARNER) Yes.

21 Q. Okay. So that was in 2017. Have we had
22 occasion to have any meetings or discussions with
23 Mr. Cunningham or any of the Cunningham family since
24 then to confirm that that is still their preference?

25 A. (BY MR. WARNER) Yes.

1 Q. And when did those take place?

2 A. (BY MR. WARNER) About two weeks ago, I would
3 say.

4 Q. And that coincided with a visit that
5 Mr. Cunningham was kind enough to host on his property
6 where you and I and a few others, including my
7 father-in-law, were toured around the Cunningham
8 property?

9 A. (BY MR. WARNER) Yes.

10 Q. Is this the right opportunity -- I think you
11 have some photos, some simulations, some drone footage
12 that really gives a good understanding of
13 Mr. Cunningham's preferred routing over his property.

14 And again, just to make sure everyone is
15 clear in understanding, we understand Mr. Cunningham
16 does not support this route. He doesn't support the
17 eastern routes. He thinks the western routes are
18 better routes. But he has communicated with us about
19 if the eastern route were to be selected by this
20 Committee, it's already been selected as the preferred
21 by the BLM, where he would like the poles to be, right?

22 A. (BY MR. WARNER) Yes.

23 Q. So maybe let's go into that, what we learned.
24 And maybe show us, in terms of -- have a better
25 understanding of Cook Canyon, Box Canyon, and using

1 some of the visual aids that you have available.

2 MEMBER DRAGO: Mr. Chairman.

3 CHMN. CHENAL: Yes, Member Drago.

4 MEMBER DRAGO: Yeah. Before we move on, I've
5 got a question about the piece of property that the
6 Cunningham family doesn't own, as I understand it. Is
7 that a travel park or is that a permanent residence?
8 If it's a permanent residence, did we hear any feedback
9 from them at all?

10 MR. WARNER: I'm not aware of any feedback
11 that we've had from them. And it isn't -- they don't
12 own their lots, so that's a managed park. So the
13 individual people in that park may not have received
14 notice from those -- from those -- the property owner.
15 So I'm not aware specifically of comments that came
16 directly from the park renters there.

17 So going back your introduction or guidance,
18 Mr. Derstine, let me just first remark that part of the
19 purpose of meeting with Mr. Cunningham in the field is
20 he wanted to -- he wanted to show us what he considered
21 the areas of quality on his property. And so we took
22 the time to walk up Box Canyon with him, climb up on
23 top of the mesa, see where that alignment was, and to
24 share information about where we knew the line was
25 being -- the center line was and so that we could talk

1 about it. And so there was an interaction that took
2 about a half a day climbing up there, at least a few
3 hours. And I think Matt still has some nicks on his
4 knees where he was climbing up the hill like a billy
5 goat. So Ed and I, Ed Beck and I, are going to kind of
6 walk through what our experiences were.

7 But before Ed gets in there I want to
8 highlight, in overview, what we're looking at.
9 Structure Number 21 is the first one that's prominent
10 on the top of the hill.

11 Now, go south there for a minute. I just
12 want to give you some context. And zero in down on the
13 corridor there, Osmer. Just kind of pull in a little
14 tighter so we can see where the railroads are.

15 So there are railroad lines and things like
16 that that are on this other side, and the idea was to
17 get up higher on this bluff on the opposite side of the
18 road here -- do you see that -- so that we could span
19 across the rail lines and across Highway 66 and go high
20 to high on top of the hill. That would avoid putting
21 additional towers down in the valley and creating more
22 sort of visual impacts on that.

23 CHMN. CHENAL: And where is Route 66 again?

24 MR. WARNER: Can you show that right there?

25 Yeah, there you go.

1 Right in front of the trailer park. Can you
2 see that?

3 CHMN. CHENAL: Yeah.

4 MR. WARNER: Let's zoom in just a little bit
5 tighter, Osmer. Now let's go to the bottom of Box
6 Canyon. There you go.

7 So there's a little -- there's a little wash
8 that comes down there and there's an access point right
9 there at the bottom and there's a little parking lot
10 right there. So up there there isn't a road. I guess
11 there is a little bit of a goat trail that kind of goes
12 up the bottom of that hill, and it's basically
13 undisturbed. It goes all the way back up into the
14 canyon and it turns a corner.

15 Let's go back down. Let's take a look at one
16 of those drone footages at the opening. Not that one.
17 22, how about. Let's hit the bottom of the canyon.

18 Okay. So what you're looking at here is some
19 drone footage. There's some orientation, a compass in
20 the upper right-hand corner, that tells you where
21 that's at. But basically what we're looking at here is
22 a 360-degree camera. We'll span around in a minute.
23 Don't do that yet. I want to just give you some
24 context here.

25 This is the draw. You can see the steepness

1 of the slope there.

2 Now let's turn in the direction you were
3 going, which is clockwise, I guess.

4 That's away from the transmission line.
5 That's looking towards the east. And then you can see
6 the railroad line and the railroad cut there and then
7 you can see there's 66 at the bottom.

8 Notice up on the ridge line on the other
9 side -- do you see that -- you can see the windmill
10 towers. Can you see that? They're just barely
11 highlighted. We'll talk about those later. That
12 influenced how we got on the BLM property, but we'll
13 talk about that later.

14 Look down at the ground, if you would there,
15 just so we can see the kind of ruggedness of the ground
16 and some of the context there. Okay. Boulders and
17 stuff like that. It's a beautiful setting, honestly,
18 and there's a lot of -- a lot of topography here.

19 Now let's look up on top of the ridge there.
20 So that's the bluff above the area where the towers
21 would be.

22 Let's look at the other --

23 CHMN. CHENAL: Let me ask you, Mr. Warner.

24 MR. WARNER: Yes.

25 CHMN. CHENAL: From that picture, the way

1 that it's positioned there -- the lines will be on that
2 bluff if your preferred route is taken?

3 MR. WARNER: That's correct.

4 CHMN. CHENAL: From the point of view from
5 where this picture was taken, this footage, how visible
6 would the line be?

7 MR. WARNER: We're going to show you that in
8 a moment. So may I hold that question for a moment,
9 and then we can look at that? Because I think we've
10 got some information that will show you that.

11 Let's go to the next drone footage that's
12 just up the canyon a little bit further. And I thought
13 -- I thought we had a photograph. Oh, these are just
14 the drone footage. I'm sorry. Let's not go there.
15 This is more or less the same thing, it just has
16 another image.

17 Ed, maybe what you can do is talk about the
18 alignments and we can answer the Chairman's question.

19 MR. BECK: Yes. So we're going to pull up a
20 portion very similar to what the flyover looks like,
21 but this will show the alternatives that we had spoken
22 with Mr. Cunningham about how we could shift the line
23 towards the west but still on top of that Mesa. And
24 we'll give you a bit of that view perspective of what
25 would be seen from down in that Box Canyon area, just

1 to your point, Mr. Chairman.

2 MR. WARNER: And just while they're putting
3 together the electronics, because we know how touchy
4 that can be, we also took some photographs of some
5 sites that were chosen by Mr. Cunningham so that we
6 could depict the view of what maybe a residence that he
7 intended to build there sometime in the future might
8 be. So we'll go through that photograph as well.

9 MR. BECK: So just a little bit of context.
10 The green dots are the structures of the preferred
11 line. Again, these are just preliminary. They're not
12 final positions for the poles, but they're
13 approximations. So the line would run along the top of
14 that ridge.

15 And there's a point down here in Box Canyon
16 which we were going to do our view from, so it would be
17 as if you were standing at this point. Looking back to
18 the west, you'll be able to see what this alignment
19 would look like from down below, and then we've got two
20 other alternatives that we'll be showing.

21 MR. WARNER: So this is one of the photo
22 points that Mr. Cunningham chose as a place to examine
23 the potential to see the line. He's getting there.

24 MR. BECK: Mouse issues over here.
25 Technology is great, except when it doesn't work. This

1 worked great when we did it over Zoom with
2 Mr. Cunningham remote from us, and here we're in the
3 room and having problems.

4 Again, the perspective was where he just
5 dropped the figure in. It's down in the bottom of Box
6 Canyon. And this is the preferred alignment. So we're
7 looking back towards the -- generally to the west and
8 now a little bit southwest, and this is what that line
9 will look like. It's going to be very visible from
10 down in Box Canyon.

11 CHMN. CHENAL: So how visible is it from the
12 other side?

13 MR. BECK: We'll go there.

14 CHMN. CHENAL: Okay. I'm just curious,
15 because it looks like there might have been a decision
16 made as to which side you're going to have more visual
17 impact.

18 MR. BECK: Yes. Yeah, we're going to show
19 you both sides.

20 CHMN. CHENAL: You don't have to do it now.

21 MR. BECK: So here is, again,
22 Mr. Cunningham's brother's home here, so we'll do a
23 perspective from there.

24 MR. WARNER: Yeah, go on the house first.
25 Right there.

1 MR. BECK: So again, we'll place them right
2 there on the corner of the house, ground level. Now
3 looking in an easterly direction for the preferred, you
4 can see that it's not visible, for the most part,
5 except for the very north piece here, the turning
6 structure, and right there it would be visible.

7 CHMN. CHENAL: Must have been some
8 conversation with the brother --

9 MR. BECK: I can imagine it probably was.

10 CHMN. CHENAL: -- who lives in that house.

11 MR. BECK: Yes. So let's turn on Alternate 2
12 for the route.

13 So I'm not sure if you can see it from your
14 view, but the line is showing up above on the skyline.
15 It's the purple line. So just so you know, this line
16 that's running across the top of the mountain, that
17 little line here, is the center line of the structures,
18 so it's just an artifact of how we do it in Google.
19 But the wires are above, so you see the sagged wires.
20 That's the conductor going from pole to pole.

21 CHMN. CHENAL: I'm a little confused,
22 Mr. Beck. Because the first view that we saw only
23 showed the structure and the lines at the very northern
24 part, and it was green. Now we're seeing -- now it
25 seems purple, but it's more evident.

1 MR. BECK: So we're going to go back out so
2 you can see what we did. We missed that step in here.
3 Turn the green one on too.

4 MR. WARNER: So what he's depicting here is
5 that when we met with Mr. Cunningham in the field, we
6 came up with different routing alternatives across the
7 top of the bluff. Once we saw where that line was
8 going and his expressed interest in protecting some of
9 the scenery in Box Canyon we said, well, what about if
10 we moved it back over to the west a little bit. What
11 about if we did something and split it in the middle.
12 And so that's what these other colors represent is
13 different alternatives so that they could examine it.
14 Mr. Cunningham's brother was there with us when we were
15 going in the field, and so we listened to what everyone
16 in the party was talking about and promised to come
17 back with some alternatives.

18 CHMN. CHENAL: Looking at the photo, the
19 green line represents the preferred route?

20 MR. WARNER: Yes.

21 MR. BECK: Correct.

22 CHMN. CHENAL: And "preferred route" in
23 context.

24 To the left of that, or the west, there are
25 purple dots with yellow lines. And that is simply one

1 alternative that was discussed with Mr. Cunningham, but
2 was not one he wanted. He preferred the one that's in
3 green, is that correct?

4 MR. WARNER: Yes.

5 MR. BECK: Yes. So we had these layouts done
6 after the discussions with Mr. Cunningham to see how
7 far we could go on the top of that bluff, knowing that
8 it would improve the viewshed in Box Canyon. But as to
9 the point you made, it's going to impact the views from
10 Cook Canyon and also all of I40, which has the high
11 traffic volume.

12 So as you pointed out, the preferred green
13 alignment, very visible from Box Canyon; but from his
14 brother's house, you only see the one structure right
15 at that turn up on the very north end. If we go with
16 the alternative, this purple and yellow lines, very
17 visible.

18 Now, if we could go and do the viewpoint from
19 the bottom of Box Canyon with those two turned on.

20 So now we're going back, and this is an
21 eyesight view from down in Box Canyon. You can see
22 it's making it less visible. So the yellow line would
23 be less visible from Box Canyon than the green, but you
24 still see the yellow line over a good part of the
25 project. The green is a little more visible; yellow,

1 somewhat less, but it's still going to be visible. But
2 flip side on the other side, very visible for the
3 yellow from Cook Canyon, and the preferred is basically
4 very -- only that one spot is visible from Cook Canyon.
5 So we actually did three alternatives.

6 I think this was the most westerly, is that
7 right, Osmer?

8 Okay. So we did have one more. So here is
9 the blue. We can show you from Box Canyon again. And
10 so this decreases the view from Box Canyon because it's
11 further to the west. So it's hard to see, but there's
12 one structure, I think, that shows up here, and you see
13 a little bit of the line. It's hard to see in the
14 photo. And if you scan back to the right, the wire
15 itself is in this view. But again, the wires aren't
16 going to be very visible because they're so small. It
17 would be the structures. So most of the structures
18 have disappeared in this view.

19 Now, if we could flip over to Cook Canyon.

20 So again you'll see here, hopefully you can
21 see it in the representation, there's the yellow. And
22 then the blue sticks out a little bit more in here than
23 the yellow does.

24 MR. WARNER: Why don't you turn off the
25 yellow, Osmer, just so that we can see the formerly

1 blue line. It's now in a tan color. There you go.

2 MR. BECK: So this is the most westerly
3 alternative that still stayed on top of that mesa and
4 was still constructible.

5 CHMN. CHENAL: Member Noland.

6 MEMBER NOLAND: Thank you. Mr. Beck, can you
7 make that a gray tone?

8 MR. BECK: We likely can.

9 MEMBER HAMWAY: Mr. Chairman, can we put up
10 the preferred route also?

11 MR. BECK: Can you turn on the preferred?

12 MR. WARNER: The green?

13 MR. BECK: The green.

14 MR. WARNER: So the green is on here.

15 MR. BECK: So that's the only point where you
16 see the preferred is that one structure. Everything
17 else is far enough back on that mesa that from at least
18 his brother's house location the preferred is not going
19 to be seen.

20 Osmer, if you could take us to a viewpoint at
21 kind of the confluence of 66 and 40.

22 MR. WARNER: Maybe somewhere near where we've
23 got that visual simulation they'll be seeing later.
24 Yeah.

25 MR. BECK: Now, again, the green is the

1 preferred that we have brought forward.

2 BY MR. DERSTINE:

3 Q. Well, all of these routes are in the
4 alignment of the preferred. What you're showing are
5 different pole placement variations within the
6 preferred on the Cunningham property, correct?

7 A. (BY MR. BECK) These are all pole variations,
8 but they're not within a 500-foot corridor. So one of
9 the things we did raise with Mr. Cunningham is, to
10 provide us more flexibility over the top of that mesa,
11 we could potentially propose to the Committee that we
12 widen out our corridor request, at least for that
13 stretch of land or at least across his property.

14 And the indications we got back from him, not
15 only -- the green line was what they thought, as a
16 family, could work, and that the 500-foot corridor was
17 sufficient. So in other words, don't move it further
18 west.

19 So again, just in this view you're seeing
20 we've got all three of those alternatives turned on.
21 And you can see, as it comes more to the west on the
22 bluff or the mesa, it just starts to show up a lot
23 more. And so by pushing it back to the east, it
24 minimizes the views from not only his brother's house,
25 the commercial property on that corner, but also the

1 viewshed from I40 and -- well, I40, because on 66
2 you're going to drive under the line regardless of
3 where it's at. Although it's still not as visible
4 coming across 66 here, the green is still going to be a
5 little bit less visible than the other two would be
6 through this area.

7 MEMBER GRINNELL: Mr. Chairman.

8 CHMN. CHENAL: I'm sorry. Who's asking?

9 MEMBER GRINNELL: I am, sir.

10 CHMN. CHENAL: Oh, I'm sorry. Member
11 Grinnell. I'm sorry. I heard a voice.

12 MEMBER GRINNELL: This would be a great
13 question my girlfriend would ask. Are you going to
14 paint the poles? Seriously. And I don't say that --
15 is there going to be any cosmetic attention given to
16 the poles?

17 MR. BECK: So Mr. Chairman, Member Grinnell,
18 we -- our standard is to use weathering steel poles,
19 the rusty brown color, and there's reasons for that.
20 We've gone through that with the Committee in the past;
21 we can again to the extent we need to.

22 We have also painted in the past, primarily
23 at the direction of the Committee. And so there's
24 certain locations where if it makes sense to paint a
25 pole, we can, or we can galvanize. There's definitely

1 a cost issue involved with painting and a maintenance
2 issue.

3 So our preferred is weathering steel, our
4 second best alternative to that is a galvanized
5 structure, and painting would be the last on our list
6 because of the all the complications of painting.

7 And we've found that, especially when there's
8 a backdrop of mountainous terrain -- and of course,
9 this being on the mesa, it isn't so much of the case.
10 But when there is some backdrop of the mountains, that
11 rust color tends to blend in better. And again, it's
12 all in perspective and where you're looking at it. If
13 you're right down below, looking up at it up on top of
14 a hill against a skyline, the dark color is probably
15 not as good as the galvanized.

16 MR. WARNER: When we go through the visual
17 section on the analysis, this will be one of the
18 viewpoints. So we'll show you, from a simulation, what
19 it looks like and describe how that determination is
20 done. Also, we can touch on the measures that also
21 reduce those impacts, like what you were talking about,
22 is there a coloration pallet or is there a management
23 of certain things that would minimize or reduce the
24 potential contrast level. And so we'll touch on some
25 of those things.

1 But as an example, the roads that are cut in
2 for some of these lines, they bring up a white earth
3 because they're very calcic in their nature. And so
4 there's paint that's put on that changes the patina of
5 the dirt and gives it a darker color that's more
6 congruent with the historical landscape. And so those
7 are some of the measures that we've identified are
8 important to include as part of the visuals.

9 MR. BECK: I'd like to point out that because
10 Mr. Cunningham approached the company and had a high
11 interest in the impact of the project on his property
12 and what flexibility we might have, these are the
13 things that we put together to have that discussion
14 with him and explain how the viewshed changes and so
15 on. Now, we haven't done that with all of the property
16 owners along this alignment at this point, because we
17 don't know exactly where we're going to build. But as
18 we go out and start acquiring right-of-way and we have
19 people that want to know what does this mean or how can
20 you flex pole locations and so on, we've got these tool
21 sets to help us work with those property owners to try
22 and site the poles where they make the most sense.

23 BY MR. DERSTINE:

24 Q. I just want to -- for Mr. Beck or Mr. Warner,
25 so we're kind of standing in the middle of Route 66,

1 right?

2 A. (BY MR. BECK) Correct.

3 Q. And what I'm looking at would be the western
4 side of Cook Canyon, which starts to rise up to the
5 green shown preferred alignment?

6 A. (BY MR. BECK) Correct. So the radio station
7 tower, you can't really see it, but it's right in this
8 location. This little area here was the cleared area
9 that could be a commercial area. As you go up this
10 way, this is Cook Canyon, and I40 would be kind of
11 under the legend. So we're almost at the connection
12 between I40. There's I40 and this is 66. This is kind
13 of looking in a north, northeast direction here. And
14 this is the mesa or bluff that sits between Cook Canyon
15 and then Box Canyon, which is further on. And that RV
16 park sits right down in here.

17 Q. So I think I heard and have seen in the
18 various comments and documents filed by the Cunningham
19 family that the suggested possible future use for Cook
20 Canyon is mixed commercial, industrial, residential,
21 right?

22 A. (BY MR. BECK) Correct.

23 Q. But there's nothing platted for that area,
24 but that's what they've indicated they think is
25 suitable there?

1 A. (BY MR. BECK) It makes the most sense from
2 the fact that it's right adjacent to the freeway, yes.

3 Q. And placing the line high on the mesa appears
4 to me that it preserves more of the -- well, it has
5 less visual impact from this side, west, the Cook
6 Canyon side, is that right?

7 A. (BY MR. BECK) That's correct. By pushing it
8 further east on the top of the bluff, it's less visible
9 from Cook Canyon and from the Interstate 40.

10 Q. Now, we already touched on the first
11 preference was the ADOT right-of-way; we can't build it
12 there. So it's now -- if we're comparing and
13 contrasting the existing 69 alignment with this
14 alignment, where would, in general, the -- if we were
15 to follow the 69, where would the line go?

16 A. (BY MR. BECK) It would generally come up
17 this way.

18 And maybe, Osmer, you can back out to the
19 overhead view. And then if you kind of zoom in a
20 little bit in this area.

21 So there's a structure right there, so it's
22 kind of along the road. Now if you back out. Yeah.
23 So it generally goes up this way and it goes right
24 between the structures that are up here. I believe
25 this might be the house, and I'm not sure if this is

1 some out buildings here.

2 A. (BY MR. WARNER) Another house.

3 A. (BY MR. BECK) Okay. So you can see, there's
4 the line right there.

5 Q. And when it comes out to cross 66, where
6 would it -- how would it follow?

7 A. (BY MR. WARNER) Right there, yeah?

8 A. (BY MR. BECK) Yeah, it goes across right
9 here.

10 Q. That's generally the same alignment you'd
11 follow to get over the railroad track and back up to
12 the BLM right-of-way?

13 A. (BY MR. BECK) Generally, yeah, we could go
14 from here and south to tie it in with what we're
15 showing is our alignment, which is right there.

16 Q. But that's not what the Cunninghams want.
17 They want it high on the mesa, right?

18 A. (BY MR. BECK) Right. In the end, that was
19 their -- in order of preference, this was their
20 second -- second to the ADOT right-of-way was this
21 alignment farther to the east up on the top of the
22 bluff.

23 A. (BY MR. WARNER) And to Ms. Noland's comment,
24 it's their third. West first.

25 A. (BY MR. BECK) Well, yeah.

1 Q. Understood. But by putting the line high,
2 that creates greater visual impacts to Box Canyon,
3 right?

4 A. (BY MR. BECK) Correct.

5 CHMN. CHENAL: Member Hamway has a question.

6 MEMBER HAMWAY: So is the Cunningham land in
7 part of Kingman incorporated or is it a county? I
8 mean, is it already part of Kingman?

9 MR. WARNER: It's in the county.

10 BY MR. DERSTINE:

11 Q. And so placing the line high on the mesa,
12 which we're showing there in the green dots and lines,
13 that creates greater visual impacts to Box Canyon. Box
14 Canyon, as I read it, is the suggested potential future
15 residential home development, right?

16 A. (BY MR. BECK) That's correct. That's what
17 Mr. Cunningham has indicated, that his thoughts are
18 this could be a housing development of high-end homes,
19 probably not a lot, but situated throughout that
20 canyon.

21 Q. And there's no infrastructure in that canyon
22 at present, is there?

23 A. (BY MR. BECK) No.

24 Q. I'm going to read a portion of

25 Mr. Cunningham's e-mail dated June 24, 2016. It's

1 marked as Exhibit 29. He says, "This property is
2 co-owned by myself and my cousins, Lucy and Michael
3 Hackley, and I own land in Cook Canyon along with my
4 cousin Patrick Cunningham. Box Canyon is an example of
5 beautiful desert scenery (see attached picture). It
6 has the potential for future residential development."
7 Did I read that correctly?

8 A. (BY MR. BECK) I believe so, yes.

9 Q. So it's being characterized Box Canyon has
10 the potential for future residential development?

11 A. (BY MR. BECK) Yes. So it's not a platted
12 development. It's just a -- maybe a dream or a wish or
13 a hope that some day that he can develop that into
14 residential property.

15 Q. The problem is that they've told us they want
16 the line high on the mesa, and that creates the
17 greatest visual impacts to Box Canyon?

18 A. (BY MR. BECK) Correct.

19 Q. So then that prompts the complaint that
20 you're destroying the views from Box Canyon?

21 A. (BY MR. BECK) Correct.

22 Q. One of the comments was that the most
23 important viewshed from Box Canyon is the Hualapais.
24 Can you show us that?

25 A. (BY MR. WARNER) Osmer, maybe you could take

1 us to the drone footage in the bottom of the canyon.

2 A. (BY MR. BECK) Well, can you just back out
3 and show us the Hualapais.

4 A. (BY MR. WARNER) Oh, I suppose you could do
5 that too?

6 A. (BY MR. BECK) So the Hualapais are to the
7 south and east of the area.

8 Q. And does the alignment shown on the Google
9 Earth screen, the proposed high line alignment on the
10 mesa, does that in any way impair the views of the
11 Hualapais from Box Canyon?

12 A. (BY MR. WARNER) No.

13 Q. But depending on where these potential future
14 residential lots are placed within Box Canyon, the line
15 would be visible, depending on whether you're east
16 facing or west facing?

17 A. (BY MR. BECK) Correct. And I think one of
18 the things that it's hard to visualize right here, and
19 maybe if we get drone footage we can show this, but as
20 you look down the canyon, if you build houses up in
21 here and you're looking down, you've got a railroad,
22 you've got Highway 66, you have the wind farm over
23 here. I would guess that you're going to create your
24 view -- window view looking more in this direction to
25 try and avoid some of that.

1 And so to the extent you were to position
2 such that you've got your view looking in that
3 direction, this is your secondary view, maybe it's out
4 your back door or side door, side window, but you'd
5 probably try and get your primary view out here, which
6 is the Hualapai Mountains and isn't obstructed by the
7 wind farm and the railroad and Highway 66. Now, some
8 who find the windmills beautiful might want to situate
9 differently, but that's personal preference I guess.

10 Q. And I guess that's another point. In terms
11 of the viewshed out of Box Canyon, you're going to see
12 the windmills and the railroad that runs through there
13 on a fairly frequent basis?

14 A. (BY MR. BECK) Yeah. The railroad runs very
15 frequent, and of course the windmills are there all the
16 time.

17 Q. Mr. Beck, let me have you look at Exhibit 32.
18 That's an e-mail -- well, I can't tell how this was
19 distributed, but it contains an e-mail dated Wednesday,
20 July 20, 2016 from Helen Lucille, Lucy, Hackley. And
21 she has a couple numbered paragraphs there in her
22 e-mail to Mr. Whitefield. The first one is, "We have a
23 nice ecosystem in the Box Canyon with varied flora and
24 fauna that I feel will be disturbed by putting in the
25 towers for the 230 kV line. This includes 14 species

1 of cactus, a large flock of turkey vultures roosting in
2 the canyon, as well as fox, raccoon, coyote, bobcats,
3 hawks, and bats roosting in the caves and many other
4 species." Did I read that correctly?

5 A. (BY MR. BECK) Yes, you did.

6 Q. I assume that turning Box Canyon into a
7 high-end home development will also disturb the flora
8 and the fauna of Box Canyon?

9 A. (BY MR. BECK) That is true. It would
10 definitely have a large impact on the flora, fauna,
11 wildlife.

12 Q. And you'll have to put a road presumably from
13 Route 66 up that canyon to get access to whatever lots
14 are placed in the canyon?

15 A. (BY MR. BECK) There's possible different
16 alternatives, but the most likely would be to come up
17 the bottom of the canyon right off of the pullout that
18 is on Highway 66 already.

19 Q. And then if Box Canyon has become this
20 residential development, disturbance will come from
21 cutting pads into the canyon?

22 A. (BY MR. BECK) Absolutely. The access road
23 into these homes, as well as then their driveways and
24 their pads and whatever they build around their house,
25 will disturb that area.

1 Q. Do you understand, given your discussions
2 with the Cunninghams, Mike or -- Mr. Warner or
3 Mr. Beck, why they would prefer to place the line high,
4 where it's most visible from Box Canyon, and shield
5 what I understand would likely be a more commercial
6 industrial development on Cook Canyon on the other
7 side?

8 A. (BY MR. WARNER) I don't think he was clear
9 in expressing his final reasoning by that. But
10 presumably, because he did mention this a number of
11 times, that future development in Box Canyon, if any,
12 was a long vision, something that was not imminent, and
13 he spoke about it as being another generation perhaps.
14 It's likely that the commercial development down below
15 is more imminent. And so that may have factored into
16 his decision, along with the consultations that he had
17 with his family members.

18 A. (BY MR. BECK) And also, they own the
19 property that the radio tower is on, and so I know that
20 they're trying to preserve that radio tower and its
21 capabilities, abilities. And by moving the line
22 further east, it got it away from the tower. So
23 putting it down along the old 69 kV alignment puts us
24 right adjacent to that antenna; by moving it east, it
25 improves that. So I suspect he had some thought about

1 that radio tower and getting the line away from that
2 also.

3 Q. But I think it's also true that, in looking
4 at these alternative pole placement options that you
5 have shown to the Committee and that we showed to
6 Mr. Cunningham, the yellow and the blue pole
7 placements, those simulations would create less visual
8 impacts from Box Canyon, push the line further to the
9 west, yet at the same time those structures are still a
10 significant distance away from the KAAA radio tower,
11 right?

12 A. (BY MR. BECK) Correct. Anything on top of
13 the mesa is still a ways from the radio station.

14 Q. And whether it was the yellow or the blue or
15 the green, those structures are a long distance away
16 from the radio tower?

17 A. (BY MR. WARNER) Yes, that's right. The
18 first tower that crosses is set as the point that you
19 go across the other side. And partly what determined
20 the location of that was to get the clearance with KAAA
21 and meet that requirement that they set early on to get
22 that 1,200 feet or something like that.

23 CHMN. CHENAL: Let me ask a question at this
24 point. And this is prompted by Member Noland's
25 question about helicopters, but it gets to the idea of

1 access roads in order to construct the structures on
2 top of the bluff. Can you give us a sense of, you
3 know, how many and where those might be and which side
4 or where they'd come in from?

5 MR. BECK: For the further north areas in
6 Exhibit 36, which was the letter from Mr. Cunningham,
7 he had actually indicated in there some potential
8 access from the north for the northern portion of the
9 bluff area. For the southern portion we likely would
10 come up Box Canyon, come into the bottom of Box Canyon
11 and work our way up the side of the hill there. Again,
12 we haven't designed those access roads at this point.

13 As I previously mentioned, though, we did
14 have a little bit of discussion with Mr. Cunningham
15 that if this gets chosen and we're moving forward with
16 this, as we negotiate right-of-way, we're open to
17 discussions on that access, how it would be developed
18 and placed. And then potentially that access could
19 serve his purposes longer term, and that would be
20 written into the right-of-way agreements.

21 CHMN. CHENAL: Member Noland.

22 MEMBER NOLAND: Mr. Chairman, Mr. Beck, the
23 reason I asked about the helicopters is when we were
24 doing the Southline project and in box canyons, in
25 other mountainous areas, they were looking at doing a

1 good amount of it via helicopter. What makes this
2 different and more difficult? So you don't have to cut
3 the roads.

4 MR. BECK: Well, again, how much road
5 development we have to do depends on the equipment we
6 use. And so if we have the right contractor, they
7 won't necessarily have to have a very high quality road
8 to the sites, so it would be much more like a trail.
9 If there are some locations that it makes sense to
10 construct by helicopter, we can do that, but there is a
11 cost to that. So it's a tradeoff of cost to our
12 customers versus ease of construction. And also, for
13 future maintenance, having some access into the area
14 makes sense. So it's not that absolutely we won't
15 build it by helicopter. We're just not, at this point,
16 planning on setting poles by helicopter.

17 MEMBER NOLAND: Well, Mr. Chairman,
18 environmentally and visually I think if, in fact,
19 this -- or, yeah -- if this route is chosen, I think
20 that's something you need to look at, at least from my
21 opinion. And I think that it --

22 I don't know why the Cunninghams like this.
23 I know they don't, but I don't know why they like it on
24 top of the mesa or on top of the mountain, because I
25 think it sucks.

1 CHMN. CHENAL: That's a term of art.

2 MEMBER NOLAND: Yes, it is.

3 MR. CUNNINGHAM: West Number 1 may be
4 available.

5 CHMN. CHENAL: This could be a very clever
6 strategy by Mr. Cunningham.

7 MR. DERSTINE: Don't think we haven't
8 considered that.

9 CHMN. CHENAL: Choose the ugliest possible
10 location with the most visual obstruction to argue in
11 favor of west.

12 MEMBER NOLAND: And Mr. Chairman, excuse my
13 language. I mean, that wasn't really appropriate. But
14 it does kind of suck.

15 I actually prefer the one on the side where
16 his brother's house is, even though it's still further
17 away than the 69 kV line. I think it's more visible
18 from the highways, but, you know, people going 75 miles
19 an hour are not always looking at these lines. I do it
20 all the time trying to see what the public is seeing,
21 and you don't. You just don't see it. So I'm less
22 worried about the highway and more worried about the
23 visual aspects of where these are being placed on that
24 mountainside or mountaintop. Thank you.

25 MEMBER DRAGO: Mr. Chairman.

1 CHMN. CHENAL: Yes, Member Drago.

2 MEMBER DRAGO: So we've gone over a lot of
3 information here, but what am I looking at right now?
4 Is that E1 and E2?

5 MR. BECK: So the green dots are the E1
6 poles. E2 is further south beyond the mountain range.
7 You're not -- you're not seeing E2 at all. This is --
8 or, this is the common point to E1 and E2.

9 MEMBER DRAGO: Oh, that's one line?

10 MR. WARNER: Yeah, it's the combined area of
11 E1 and E2. So this is the eastern route. They divide
12 into E1 and E2 just south of here.

13 MEMBER DRAGO: Can you show that to us?

14 MR. BECK: Yeah. Can you back out, Osmer,
15 please? Oh, well, we don't have another view.

16 MR. WARNER: Why don't you show another map
17 on the left-hand side, just the main map, I think.
18 Anything. Here you go.

19 MEMBER DRAGO: So if I understand it right,
20 there's no difference between E1 and E2 up on the
21 mountain?

22 MR. BECK: Not from this point going north.
23 So the only difference is within this square. From the
24 edge of that square all the way north, E1 and E2 are
25 one and the same.

1 BY MR. DERSTINE:

2 Q. Can you speak to why we created that E2
3 variant of E1? What is that intended to do?

4 A. (BY MR. WARNER) So there were a couple of
5 reasons. And this will go into more detail when we
6 talk about the permutations of the meetings and also
7 the layout and who was involved in helping us choose
8 alternatives. But ultimately, we had a number of
9 alternatives that were leaving McConnico substation and
10 Harris substation to the east, and they went into some
11 -- crossed over to the BLM land and went into some
12 private land on the other side. Ultimately, we had to
13 pull those back onto the BLM property, partly because
14 the wind farm had some plans to construct, and so it
15 really kind of killed those alternatives that went
16 through the private land.

17 So we ended up with two variants on the BLM
18 land. One was a little bit shorter and took a
19 different topography, and one was more hidden and took
20 a different route. And so those were the main reasons
21 we had two.

22 Q. So E2 is entirely on BLM land?

23 A. (BY MR. WARNER) E2 and E1 are entirely on
24 BLM land in that area, yeah.

25 Q. In the box?

1 A. (BY MR. WARNER) Yeah. Once they cross over
2 the railroad, I don't think they're -- I don't think
3 they're -- I think they're on private land before they
4 cross the railroad there. It's not a very good map to
5 depict that. Maybe if we could go to your Google map
6 over here and I could get you a better picture.

7 Q. Well, that's okay. I mean, I think the point
8 is that the difference between E1 and E2 are only there
9 at the very beginning of the eastern route, and it's
10 entirely on BLM land, and BLM selected E1 as opposed to
11 E2.

12 MEMBER DRAGO: That answered my question.
13 Thank you.

14 BY MR. DERSTINE:

15 Q. Is there more -- do you folks, Mr. Beck,
16 Mr. Warner, want to show and tell regarding the
17 Cunningham property, giving the Committee a good
18 understanding of the options that are available to the
19 Cunninghams that we've proposed? Anything you want to
20 speak to on that topic?

21 A. (BY MR. BECK) I think one of the main
22 reasons we wanted to show this to the Committee was so
23 that the Committee recognizes some of the
24 behind-the-scenes work we do on all of our projects.
25 So we don't typically bring this forward in a case and

1 show all this little neat gadgetry, which obviously
2 isn't a good thing because it didn't work so well. But
3 that's the kind of -- those are the tools we're using
4 all the time, and especially when we go beyond -- once
5 we have a CEC and we're out negotiating the
6 right-of-way, if there are specific issues we need to
7 deal with that landowner and talk about locations and
8 so on, we can show them what these different options
9 will look like so that they kind of get a feel for what
10 they're looking at and what they're agreeing to
11 beforehand. But I think that's really all we had to
12 show with this, because you're going to see a little
13 bit more in the flyover again when we get there.

14 CHMN. CHENAL: Could we go to Slide 35,
15 please, on the left side. And there's language above,
16 is there not? We're just looking at the bottom part of
17 Slide 35.

18 MR. MOELLER: Negative. That's the entire
19 slide.

20 MR. BECK: Is that the right slide? I think
21 we stacked those slides on the page, and so one is a
22 right-hand screen and one is a left-hand screen.

23 CHMN. CHENAL: So I'm looking at Slide --

24 MR. BECK: We're working on getting the other
25 35 up on the right side -- or, the left side.

1 CHMN. CHENAL: Okay.

2 MR. DERSTINE: L35 was the map, and then R35
3 is the PowerPoint slide with the summaries.

4 CHMN. CHENAL: Yeah, that's it. And
5 Mr. Derstine, R versus L, what was that? I see that
6 they're split up like that.

7 MR. DERSTINE: Left screen, right screen.

8 CHMN. CHENAL: Got it. Okay. It was staring
9 me right in the face, and I didn't see it. It's a
10 \$300 million mistake I just made there.

11 MEMBER HAENICHEN: You'll never live that
12 down.

13 MR. DERSTINE: I will never live that down.
14 That's okay. It's certainly not the first big gaffe
15 I've made in one of these cases. There will be more.

16 CHMN. CHENAL: I assume, Mr. Derstine, we
17 were getting back to the slide presentation, and I
18 just -- before we moved on to the next, Mohave County,
19 there's still some language on the slide that I just
20 want to make sure we've covered.

21 MR. DERSTINE: Well, I think we -- I don't
22 know that I have much to add. You're right, I mean, we
23 had our -- kind of our summary slide of the
24 stakeholders that expressed concerns with the preferred
25 route. We've dealt with the radio station owners.

1 We've just finished the Cunningham family. We talked
2 about the City of Kingman, and I think we've generally
3 covered Mohave County. They formally came out -- the
4 supervisors of Mohave County came out with a resolution
5 that they support the western routes. And in addition,
6 Superintendent Bishop spoke at public comment. And so
7 we did have outreach and engagement with Mohave County,
8 but they have aligned themselves with the western
9 routes, much to the displeasure of some folks in Golden
10 Valley.

11 CHMN. CHENAL: Right. And then on the slide,
12 the last sentence, "The east Cerbat alternatives would
13 impact a greater number of existing residences than the
14 west Cerbat alternatives," I don't think we talked
15 about that.

16 BY MR. DERSTINE:

17 Q. So that -- yeah, those are some of the
18 talking points, the reasons why the Cunningham family
19 has indicated their support for the western routes over
20 the eastern routes. We're going to get into that last
21 bullet, the greater number of existing residences that
22 are impacted, according to the Cunninghams, by the east
23 Cerbat alternatives as opposed to the west. We're
24 going to cover that in-depth when we get into land use.
25 So we will cover that.

1 And I think we've covered the first two,
2 limit the opportunities for residential and commercial
3 development, project would affect the natural beauty.
4 I guess that's my --

5 The one on that first bullet, Mr. Beck or
6 Mr. Warner, if you want to speak to -- in terms of the
7 placement of the 230 kV transmission line, does it
8 limit the opportunities for residential or commercial
9 development in Cook Canyon?

10 A. (BY MR. BECK) No, it doesn't really impact
11 either of the canyons, other than the fact that there's
12 the viewshed issue. So I know one of the concerns is
13 that maybe it would be harder to sell those residential
14 lots if they're going to have a view of a transmission
15 line. It probably would take longer to sell them; I'm
16 not sure if it would limit the sales of them. But I
17 think that's really the only impact, because physically
18 it's not going to impact either of those canyons.

19 Q. And for folks who drive around in Phoenix and
20 Scottsdale and see 230 kV transmission lines strung
21 between residential developments and business and
22 commercial developments, we see that all the time,
23 right?

24 A. (BY MR. BECK) Yes, we do. And you see it
25 even more so in California and up in Las Vegas, they

1 have lines everywhere.

2 Q. Somehow those developments find a way to
3 co-exist with transmission lines?

4 A. (BY MR. BECK) That's correct.

5 Q. Especially when they're needed to keep the
6 lights on?

7 A. (BY MR. BECK) Yes, and the air-conditioning.

8 MR. DERSTINE: So I think this is the
9 decision point for the Committee in terms of -- we can
10 now go back to the flyover, that bumpy ride that we
11 started yesterday afternoon, if you think this is a
12 good opportunity or a time to view that, or we can
13 proceed with -- the next chapter would be really kind
14 of getting back to some of the discussion that has
15 already been touched on, but in greater depth, about
16 the permitting history, those early stakeholder
17 meetings or public hearings, and so you get a sense of
18 what kind of drove the development of the routes and
19 the alternatives.

20 CHMN. CHENAL: I'd listen to the Committee,
21 but my suggestion is we finish up with Mohave County,
22 which is the next slide, and I know you said you'd
23 covered it. But then after that, that's only one
24 slide, then we get to the Google flyover. That doesn't
25 sound like a bad idea to then do the flyover before we

1 get into permitting, unless anyone on the Committee
2 objects or feels we should take it in a different
3 order. But I think that's the way you had intended to
4 present it, and it makes sense.

5 MR. DERSTINE: You're right.

6 CHMN. CHENAL: So let's just finish up with
7 Mohave County.

8 BY MR. DERSTINE:

9 Q. So if we can work our way back to Slide 37,
10 Jason.

11 So what we're seeing on Slide 37 is a copy of
12 the letter from the Mohave County board of supervisors.
13 It's dated April 19, 2021 to the Arizona Corporation
14 Commission, directed to this line siting docket. And
15 it indicates that the Mohave County board of
16 supervisors prefer the western routes over the eastern
17 alternatives.

18 Is there anything else -- Mr. Raatz, you're
19 probably going to do a better job of reading that than
20 I am, but is there anything important that I left out
21 in that summary of the board of supervisors letter?

22 I think their decision -- they point to the
23 radio stations, I think we've covered radio
24 station interference, I don't think there's any more we
25 can say about it, as a reason why the board of

1 supervisors would prefer the western routes over the
2 eastern routes.

3 And then they -- I think they also then state
4 that the Draft Environmental Analysis on the impacts of
5 UNS Electric's 17-mile-long 230 kV electric line
6 indicates that the residential structures impacted are
7 substantially less by choosing the proposed west
8 alternatives. I think that's right. Oh, and also
9 allow for higher use of Bureau of Land Management or
10 state land for the project. Did I read that right,
11 Mr. Raatz?

12 A. (BY MR. RAATZ) Yeah, that's correct.

13 Q. And we're going to speak to those topics, in
14 particular the residential impacts. Mr. Warner will
15 address that later in the testimony.

16 A. (BY MR. RAATZ) That's correct.

17 CHMN. CHENAL: There's something that's as
18 mystifying to me as the placement of the towers on the
19 top of the bluff, and that is: Golden Valley is in the
20 county, unincorporated city, it's in the county. The
21 residents that are there are very strongly not in favor
22 of putting the line through the west alternatives. Yet
23 the County has taken a position favoring the west
24 alternatives, where you might think that they'd prefer
25 to listen to the voices of the people that are in the

1 unincorporated area of the county and push it to the
2 east side.

3 Equally mystifying to me is the City of
4 Kingman is pushing -- at least their proposal was to
5 push for the east side, the proposal that was -- I
6 mean, the resolution that was entered, and yet you
7 would think that they would push the line to the west
8 side so it's not going -- impacting their residents.

9 MR. DERSTINE: Well, I think the Mohave
10 County board of supervisors' position is mystifying for
11 the reasons you stated. I think that Kingman's support
12 originally concerned with the eastern route, but then
13 formally supported the eastern route, I think is in
14 line with Mr. Beck's testimony that this project
15 supports growth and development in Kingman.

16 CHMN. CHENAL: Well, we're going to have to
17 get into that. Because even with the line going up the
18 west side, I mean, there's still plenty of opportunity
19 to bring the power back and feed the line from the
20 north and bring power from the Mineral Park substation
21 south on a 69 kV line, is there not? I mean, it's just
22 routing it around. I mean, how many cases have we
23 heard where we like redundancy so we can bring in power
24 from different directions? So that's what that would
25 be. Going the west side would be -- you'd still be

1 able to bring the power south, no?

2 MR. BECK: That's true, Mr. Chairman, that we
3 could create a loop system that way. And we do like
4 the loops. If the Committee is recommending that we
5 come back with a continuation to loop a project, we're
6 very open to that.

7 But at least as far as our plan at this time,
8 this was just a building block of a longer transmission
9 line to get far north. And we might actually, in the
10 future, loop at the north end with a tie up to western
11 way up there, subject to and being driven by
12 residential development up there.

13 So we were looking at it as the first
14 extension cord going to the north and going through the
15 Kingman area and resolving some city of Kingman area
16 issues, and we don't see the really high-density load
17 growth in Golden Valley that drives the need for that
18 230 right now.

19 CHMN. CHENAL: Maybe at some point, not now,
20 I don't want to interrupt the presentation, but at some
21 point I personally would like to hear a little more
22 about that, how the eastern route is more beneficial to
23 Kingman in terms of supplying power than the western
24 route and simply bringing the power around in a loop
25 fashion. I'm not understanding that.

1 MR. BECK: We'll try and address that,
2 Mr. Chairman.

3 CHMN. CHENAL: Okay. Thanks.

4 MR. BECK: And just relative to the board of
5 supervisors' action, it was the District 4 Supervisor
6 who took to the board of supervisors her letter that
7 she had sent to the BLM and said, I'd like this to be
8 considered. And it was Item 41 for their long agenda
9 for the day, and they just voted to approve it. So I
10 don't think there was a lot of discussion. I don't
11 know that they had any time to outreach -- for any
12 outreach to Golden Valley.

13 CHMN. CHENAL: Understood.

14 MR. WARNER: And one other item in regards to
15 the City of Kingman. I'm not sure that the resolution,
16 at the time that it was generated in 2008, was as keen
17 on what were the strengths of the electrical system as
18 much as it was about what they considered impacts to
19 their corridor and how they were being resolved. And
20 so I think that -- and we'll talk about that, the
21 genesis of how that happened and what they came out
22 with first. But we'll walk through that step by step
23 so you can hear more about that.

24 MR. BECK: But we will adjust the language
25 and try not to use "corridor."

1 MR. WARNER: Except if you're referring to
2 the BLM.

3 CHMN. CHENAL: I see you have an exhibit that
4 defines corridor, just to add some more complexity to
5 the issue.

6 MR. DERSTINE: Are we ready to move on to the
7 next chapter in the saga of the Golden Valley 230 kV
8 line?

9 CHMN. CHENAL: And this would be the flyover?
10 Is that what we're going to do now, Mr. Derstine?

11 MR. DERSTINE: Well, if we're ready to do the
12 flyover, I think that's where we're at, yeah, if that's
13 your preference, as opposed to moving forward with the
14 permitting.

15 CHMN. CHENAL: We're anxious to, I think, see
16 the flyover.

17 MR. DERSTINE: To see it? Okay.

18 BY MR. DERSTINE:

19 Q. And Mr. Beck, you left off yesterday with --
20 we did kind of a hurried and incomplete flyover of the
21 preferred route. Do you want to start back -- you
22 started with W1 and then we moved to the preferred E1.
23 How do you want to reset this?

24 A. (BY MR. BECK) I would say we probably start
25 with W3, unless the Committee needs to see W4 again.

1 And the majority of -- so W3, these are just segments,
2 short segments that you'll see, so they won't take too
3 long. If the Committee would prefer to see the overall
4 W4 again, we can do that to start and start from the
5 beginning.

6 CHMN. CHENAL: W4 was the most western route,
7 Mr. Beck?

8 MR. BECK: Yes. It's the southerly and
9 westerly route right there.

10 CHMN. CHENAL: And we've seen that.

11 MR. BECK: Yes.

12 CHMN. CHENAL: I mean, it took a few -- how
13 do I say this politely? We eventually saw the entire
14 route of --

15 MR. BECK: You saw the entire route. We
16 didn't see some of the photo stops, but I'm not sure
17 those are critical at this point.

18 CHMN. CHENAL: So you were explaining you
19 were going to go from the west to the east. So your
20 next would be W3?

21 MR. BECK: Correct.

22 MEMBER NOLAND: Mr. Chairman.

23 MEMBER HAENICHEN: Mr. Chairman.

24 CHMN. CHENAL: Yes, Member Noland.

25 MEMBER NOLAND: We also had a comment last

1 night about no on W3, just in my notes, so I'd like to
2 see that again.

3 CHMN. CHENAL: And Member Haenichen has a
4 question.

5 MEMBER HAENICHEN: Last night one of the
6 speakers said this thing is going to be literally feet
7 from his front door. And I was wondering what route
8 that was, and I would like to see that showing his
9 house and everything.

10 MR. BECK: We'll have to do a little research
11 to see which particular person said that and where
12 they're at. But I think as we go over the flyover,
13 you're going to see proximity of the houses that are
14 there. And while we may not know who that particular
15 person was right now, you're going to see what the
16 impacts are to those residences out there.

17 MEMBER NOLAND: Mr. Chairman, that was the
18 eighth person that spoke last night, if that helps to
19 nail it down.

20 MEMBER HAENICHEN: Because on the line we did
21 see in totality, I didn't see any houses at all.

22 MEMBER HAMWAY: Oh, yeah. He said it was
23 300 feet from his door. His name is Keith Walker.
24 He's opposed to the west routes. He was never
25 notified.

1 MEMBER NOLAND: Mary, use your microphone.

2 MEMBER HAMWAY: Oh, sorry. So his name is
3 Keith Walker. He said it was 300 feet from his front
4 door. He's opposed to the west routes. He was never
5 notified. And the reason he knew this meeting was
6 happening is because he saw the drone. And he supports
7 the east route. No, that wouldn't be right. Yeah, he
8 supports the east route. He lives in Golden Valley, so
9 he's definitely supporting the east route and he's
10 opposed to the west.

11 MR. BECK: Do we have the address for him?

12 MEMBER HAMWAY: I didn't write his --

13 MR. DERSTINE: It's 3560 West Abrigo Drive.

14 MR. BECK: Can you figure out where that's
15 at?

16 MR. WARNER: So what we'll do is we'll cross
17 reference those people and we'll try to identify them.
18 It may not be possible to do this in the fly-through,
19 but I'll cover it when I cover the land use and those
20 homes and we'll use some of the same technology.

21 CHMN. CHENAL: So then we're going to see the
22 flyover of West 3, is that correct?

23 MR. BECK: That's correct. We're going to go
24 West 3.

25 Here is Keith's home, I guess, house. So the

1 line would be just within the BLM -- okay. It's this
2 one here. So it's even further away.

3 BY MR. DERSTINE:

4 Q. Can you measure that out?

5 A. (BY MR. BECK) 14,000 centimeters. 468 feet.

6 MEMBER HAMWAY: So the other one is pretty
7 close.

8 MR. BECK: Is closer.

9 Can you measure that, Osmer?

10 So there, 99 to a hundred feet, something
11 like that.

12 MR. WARNER: I think there was another one
13 that mentioned that they were 30 feet, and they were on
14 Shinarump Road and that's further south. And whether
15 that's an accurate number or not -- but they were on --
16 and we'll go through these, but they were down there on
17 Shinarump Road. That was their address.

18 MEMBER HAMWAY: Oh, he was the first one,
19 Keith Magann. It's right in his yard.

20 MR. WARNER: And we'll find those homes,
21 because I'm not sure what we're depicting here. We'll
22 go through that one by one.

23 BY MR. DERSTINE:

24 Q. Well, if we've got it now, let's look at it.
25 3720 West Shinarump Drive is Keith Magann.

1 A. (BY MR. WARNER) My problem, Matt, is I don't
2 know that I've got it right now.

3 Q. Oh, I thought Osmer was able to dial it up.

4 A. (BY MR. WARNER) I think we're trying to do
5 it, but then we've got to cross reference the address
6 here.

7 Oh, is it? Okay. So measure that one off
8 then. Looks like that one is right there on the curve.

9 CHMN. CHENAL: 75 feet.

10 MEMBER HAMWAY: Oh, so he exaggerated. Just
11 kidding.

12 MEMBER NOLAND: Well, maybe he was measuring
13 from his front porch area, which would be closer, not
14 the middle of the house.

15 MEMBER HAENICHEN: Or the mailbox on the
16 street.

17 MR. WARNER: There's no question about it,
18 though, he's close. No question about it.

19 MEMBER HAMWAY: So on that image can you
20 bring up where the pole will be in that alignment
21 potentially?

22 MR. WARNER: That's the center line, so I'm
23 not exactly --

24 MR. BECK: There would be a pole at that
25 turning point, because that's a turning point. And

1 then we'd be roughly 750 feet either direction from
2 that pole location.

3 MR. WARNER: While we're on this subject,
4 let's go down to W4 and let's look at that corner where
5 we turn from east to west on -- I mean, north to east.
6 Yeah, let's look at those two homes right there.

7 So there's this one. Now let's just walk
8 down the line, Osmer, so you can kind of get a feel.
9 Get a measurement off there, just off some of those
10 structures, it doesn't matter which ones we've got, so
11 we can get some scale.

12 What does that say? Matt, can you read that?

13 MR. BECK: 336 feet.

14 MR. WARNER: Now let's go down there where
15 the line is crossing right over that what looks like
16 might be a trailer house. They're right on the center
17 line there.

18 MR. BECK: So that's 80 feet, but the actual
19 trailer is right under the line there.

20 MR. WARNER: So let's go down the line just a
21 little bit further. And this is the area that Ed
22 talked about possibly angling that structure across or
23 not making two 90s.

24 So you can see there, although there's a lot
25 of open space in the area, it still needs some

1 microsites to give that flexibility to adjust. And
2 I'm not sure the very granularity of this Google Earth
3 map is actually reflecting the very specific center
4 line of where we're at.

5 But you can see those, I think, are the
6 concerns that are basically laid out in some of the
7 expressions and also some of the notes and the
8 proximity down in the southern and the western portion
9 of the route.

10 BY MR. DERSTINE:

11 Q. What we're looking at in the yellowish
12 mustard color, that's W4?

13 A. (BY MR. WARNER) That's right.

14 Q. And the green is W3?

15 A. (BY MR. WARNER) That's right.

16 And just for your cognitive map, so the way
17 that these lines are laid out, the eastern one right
18 there is 1, the pink one is 2, the green one is 3, and
19 the one on the left is 4. So they kind of go from
20 right to left in sequence, so just keep that in your
21 mind. The furthest one to the right is the 1, the
22 second one is 2, the third one is 3, and that one is 4.
23 That might help you.

24 A. (BY MR. BECK) So let's queue up the flyover
25 on there.

1 CHMN. CHENAL: Member Haenichen.

2 MEMBER HAENICHEN: But isn't there -- these
3 are all just theoretical at this point. Isn't there
4 some flexibility on how you could shape all those
5 contours?

6 MR. BECK: Yes. We're requesting a 500-foot
7 corridor. To the extent we're approved for that,
8 anywhere within that 500 feet we can shift the
9 structures laterally. And then, of course, lengthwise
10 we can shift them wherever also.

11 MEMBER HAENICHEN: Right. We need to keep
12 that in mind.

13 MR. BECK: Yes, that's a good point. These
14 are not final pole locations, hence the qualifier up in
15 the upper corner, preliminary, not final.

16 MEMBER HAENICHEN: That's a CYA.

17 MR. BECK: Yes, exactly.

18 CHMN. CHENAL: So we're now going to look at
19 W2, which is the purple or magenta line. Are we
20 actually going to do a flyover, or are we just going
21 to --

22 MR. BECK: We're going to do a flyover of the
23 three segments, the portions we haven't seen. So we're
24 going to do 3 and then we'll go to 2 and then we'll go
25 to 1.

1 CHMN. CHENAL: Okay. Which is the preferred
2 of the western routes, according to the applicant?

3 MR. BECK: We did not really identify a
4 preferred on the west.

5 Can we get that on both screens? Well, okay.
6 We'll leave it for photo points. No, that's fine.

7 (Virtual tour plays.)

8 MR. BECK: So this is the confluence of the
9 alternatives here, and this is the start of Western
10 Number 3. So again, W4 is the one to the left. We're
11 going to follow W3, which is the one that comes off a
12 little bit to the right.

13 Again, a reminder, down in the lower
14 left-hand corner on that map there is an indicator
15 showing where we're at.

16 So this is a relatively short segment across
17 here, just going across this space.

18 Let's try this one visual and see if it
19 works.

20 MR. WARNER: BLM on both sides of the road
21 here -- or, both sides of the alignment, rather.

22 MR. BECK: So he's just rotating around.
23 Again, the compass up in the top kind of gives you an
24 idea of what direction we're looking. Here we're
25 looking down along this roadway, which is Shinarump

1 Road.

2 Here is the Western Area Power adjacent line
3 lattice structures. This is looking back towards the
4 east.

5 MEMBER HAENICHEN: Mr. Chairman.

6 CHMN. CHENAL: Member Haenichen.

7 MEMBER HAENICHEN: So Mr. Beck, tell me if
8 I'm drawing the right conclusion. It looks like Golden
9 Valley still has a long ways to go before being built
10 out?

11 MR. BECK: Yes, it has quite a ways to go.
12 Yes. There are some areas that are a little bit more
13 dense; but again, it's not dense, dense. It's pretty
14 sparse.

15 MEMBER HAENICHEN: Roughly how many houses do
16 you think would fit in that development at the end when
17 it's built out?

18 MR. BECK: Well, at one point there was one
19 housing development that was identified for 33,000
20 houses. That was just one developer. So there's lots
21 of space, lots of potential development.

22 That particular developer, and I'm kind of
23 jumping ahead, but he actually had approved ADWR water
24 sustainability for a hundred years, which would allow
25 him to build, which people kind of question, but he got

1 approval of it.

2 MEMBER GRINNELL: Mr. Chairman.

3 CHMN. CHENAL: Member Grinnell.

4 MEMBER GRINNELL: Ultimately, given the
5 long-term development of the Golden Valley area,
6 they're going to need that 230 kV power, aren't they?

7 MR. BECK: Well, again, we can reach out with
8 69 off of the Harris substation going to the west,
9 which is just at I40, basically, and we can also reach
10 back around. Kind of the reverse of what the Chairman
11 indicated, if we have the 230 going up to where we've
12 said is our preferred location, we would reach down and
13 around with 69 kV for our initial needs.

14 Now, longer term will there need to be a loop
15 230? It all depends on that development. And to
16 Member Haenichen's point, I mean, it's very sparse
17 today. Now, if that 33,000 houses goes in, that starts
18 to change the equation. But that's not going to be in
19 the near term. It's longer term.

20 MEMBER HAENICHEN: Right. But we still want
21 to pick a route that allows that area to develop in a
22 good manner.

23 MR. BECK: True. Yes.

24 Let's continue on. So here we're going more
25 or less in a westerly direction. You'll see where

1 alternatives 1 and 2 peel off to the north, but W3 just
2 continues along Shinarump Road. We're basically
3 following the Shinarump Road alignment and
4 right-of-way. And we turn the corner here where it
5 heads back to the north, joins up with W4.

6 MEMBER NOLAND: Mr. Chairman.

7 CHMN. CHENAL: Member Noland.

8 MEMBER NOLAND: Mr. Beck, what's the
9 right-of-way along Shinarump Road? Is there a line
10 there currently?

11 MR. BECK: I'm not sure there is a line.
12 We'll find out what the right-of-way is. I'm not sure
13 what it is.

14 So this, again, is where 1 and 2 join in.
15 Again, the Foothills Recreation Area was up in the
16 upper right, private land to the left.

17 Now we're going to go on to W2. Again, it's
18 the pink route right in here. This is where we'll
19 deviate from the other alignment. So we turn away from
20 Shinarump Road. Well, actually, no. We're still along
21 Shinarump Road in here. Here is where we're going to
22 turn the corner.

23 You'll see that 2 and 3 are very close
24 together, and it's only some terrain features that
25 really gave the alternative.

1 The Foothills Recreation Area again is shown
2 here. I say we skip this photo point, because there's
3 not much to see at this one.

4 MR. WARNER: Both of these alternatives, 1
5 and 2, are on BLM land. 1 pulls it a little deeper,
6 because there are some land features in there that we
7 would try to get behind a little bit. There's just
8 some knobs there, and you'll see that.

9 MR. BECK: Here is one of them where they --
10 they join back together, but again, it's behind this
11 big knob.

12 And then we turn back to the west here. As
13 you can see, we're at this corner.

14 MR. WARNER: And so 1 and 2, you can see that
15 home down there. Why don't you zoom in on that on the
16 right. Let's take a measurement on that. Measure the
17 house. I think that's the one that's closest to the
18 back. No. No. No. No. There you go. Keep going.
19 There you go. So I think that's it. I think the house
20 is at the back. It's been a long time since I've been
21 there, but they've got a lot of construction-related
22 stuff there. And I can't remember if that's the house,
23 but just take that measurement.

24 MR. BECK: So that's 143 feet. And actually,
25 I think that particular one is just a trailer --

1 MR. WARNER: It might be, yeah.

2 MR. BECK: -- a vehicle trailer. And the
3 other one looks more like a barn.

4 MR. WARNER: This is one of the houses or
5 compounds we're going to talk about. When we're
6 talking about impacts, we'll visit about that later.

7 MEMBER NOLAND: So Mr. Chairman, this is the
8 first house we've encountered along that particular,
9 W2?

10 MR. WARNER: On W2 it combines with others.
11 And so when you go further north, that's where the
12 house counts get. So yes, I think that's right.

13 MR. BECK: It's on the BLM property up
14 through here.

15 MEMBER NOLAND: Right. So all along what
16 you're showing as W2 I haven't seen --

17 MR. WARNER: That's right.

18 MEMBER NOLAND: -- a house until we reached
19 that structure and the Quonset hut.

20 MR. BECK: So on the right-hand side you're
21 seeing land ownership. So BLM -- we're on the BLM
22 property, so there's not going to be development on the
23 right-hand side. Left being private, I think that's
24 the first little bit of development that's in here.

25 MEMBER NOLAND: So is the -- sorry,

1 Mr. Chairman. Then go back just a little bit. Next
2 to -- there. Next to W2, is that W1 that's entirely on
3 the BLM land right there?

4 MR. WARNER: Yes, that's right. And they're
5 both on BLM land; one is just right on the edge.

6 MEMBER NOLAND: One of them is closer to
7 potential residences and the other is further away?

8 MR. WARNER: Yes.

9 MEMBER HAMWAY: Mr. Chairman, how many feet
10 are between 1 and 2?

11 MR. BECK: It's about 820 feet, give or take.

12 MEMBER HAMWAY: That's a lot.

13 MR. BECK: So again, it was to get some
14 features -- behind a few features out in the field.
15 Well, there's a little bit of a hill and a rise. If we
16 push this over with this alternative, we'll hide it a
17 little bit better.

18 CHMN. CHENAL: Which of those two
19 alternatives, Mr. Beck, is more -- hides, to use your
20 word, 1 or 2?

21 MR. BECK: The one further into the BLM
22 property, so Number 1. But there again, you're further
23 into the BLM property. So it goes back to the issue I
24 mentioned yesterday, that by putting in access roads
25 and opening it up to vehicles or others to get in

1 there, the further you go in, the more potential impact
2 it has on that facility.

3 MEMBER HAMWAY: Mr. Chairman, is BLM against
4 W1 or have they been involved? Have they issued an
5 opinion?

6 MR. WARNER: The BLM has analyzed all of
7 these alternatives. Their position right now is their
8 preferred alternative is the east alternative, E1. All
9 of these are nonsignificant, meaning they don't have
10 significant impacts for any of the alternatives, in
11 their view. Some have different varying degrees of
12 impact, and we'll talk about those, but it's kind of
13 stratified in different categories.

14 CHMN. CHENAL: But they're all approved, in a
15 sense? We could pick any one of these and the BLM
16 would go along with it, correct?

17 MR. WARNER: You know, the BLM will have to
18 speak for themselves in that regard, but I think that
19 they are intending to listen to your counsel and
20 guidance on this.

21 MEMBER HAENICHEN: Mr. Chairman.

22 CHMN. CHENAL: Who's asking? Member
23 Haenichen, yes.

24 MEMBER HAENICHEN: This whole project is
25 about bringing in a 230 kilovolt line from afar to this

1 general region, right? I mean, that's what you're
2 doing. And then after it gets there, wherever we
3 decide it's going to terminate, you're going to split
4 out and service the needs as they become important.

5 So on these lines we're talking about right
6 now, these are 230 kilovolt lines, is it really
7 necessary for them to go all the way around the Golden
8 Valley project, or could you stop the 230 earlier and
9 then have a substation?

10 MR. BECK: Well, what we're trying to do is
11 get that 230 up and shorten that 69 that goes up
12 towards Hoover Dam. That's one of the goals is to
13 improve that. So if we don't get up to that location,
14 it doesn't resolve our primary concern at this time.

15 Does it provide some future capabilities in
16 Golden Valley? It does, except that -- complicated by
17 the fact that we're building -- we've shown this 230
18 all within BLM property -- or, some of them within BLM
19 property. So we would have to go on to BLM and say,
20 now we want to put a 230-to-69 kV substation and six 69
21 circuits coming out of that location. It's going to
22 become more of a problem for BLM in the future if we're
23 deeper into the BLM land. So as long as we're on that
24 edge of the BLM, the western routes could probably
25 work. So from that standpoint, that probably would

1 drive what our western preference would be if we get to
2 where we have to make that decision.

3 MEMBER HAENICHEN: Do all four of the western
4 lines end up at about the same place?

5 MR. BECK: Well, they all join up with the
6 eastern alternatives up at Highway 68, yes.

7 MEMBER HAENICHEN: And that will satisfy your
8 need for the 69 line you talked about earlier?

9 MR. BECK: Right.

10 And maybe this is the point to throw in that,
11 on the BLM issue, they have not issued their
12 decision -- final decisions at the request of UNS
13 Electric. They were ready to sign the FONSI, I think
14 it is, and then the next document that is their
15 decision point saying, yes, we approve of this. We
16 requested that they not sign that, and wait until we've
17 gone through our ACC process, on the risk that the
18 Committee decides a different alternative and then we
19 have to go back to the BLM and have discussions with
20 them about, what will it take for them to modify their
21 EA to say that they accept one of the other
22 alternatives.

23 Yes, they've all been studied, they've been
24 analyzed. In our opinion, there's not major issues
25 with any of these routes from a BLM perspective. But

1 again, it depends, when you get back to the BLM, who at
2 BLM actually makes the decision or looks at it. They
3 could say, oh, no, we want to do some more analysis
4 now. We don't anticipate that, but there is that risk.

5 But we did ask them to hold off making their
6 decision so we didn't come to you and say, here is the
7 only thing we can build per BLM. So it was at our
8 request, at UNS Electric's request, that they hold off
9 on signing documents.

10 MEMBER HAENICHEN: Thank you. That helps a
11 lot.

12 MEMBER GENTLES: Mr. Chair.

13 CHMN. CHENAL: Yes, Member Gentles.

14 MEMBER GENTLES: I don't know if this is the
15 appropriate time, but it's something that's been
16 weighing on my mind from the very beginning of this
17 hearing, especially when I was reading all the
18 documents in the binders. But as I understand it --
19 and again, if you want to address this at a later time,
20 by all means. I just want to make sure I put it out
21 for conversation.

22 From what I understand, the project started
23 off as a -- effectively to support a single-use
24 operation, which was a mine up north of the I40, if I
25 recall. And then somewhere along the line that

1 changed. In the varying -- the varying years that went
2 by and the starts and stops, somewhere along the line
3 the project became for the benefit and use -- or, the
4 benefit of Golden Valley and Kingman to support their
5 future growth.

6 Can you just clarify that for me, how and
7 when that changed and how we got to today, where it is
8 now, the subject matter at hand?

9 MR. BECK: Mr. Chairman, Member Gentles, I'll
10 give you a bit of an answer, but I want to defer the
11 majority of the answer to some of the testimony,
12 because we kind of go through that history and how that
13 came about.

14 But you're correct, initially this project
15 was driven by one customer. And because at that time,
16 and I'll talk to this later, there was so much activity
17 going on at UNS Electric and it was not a driving need
18 for UNSE for other customers, we agreed with that mine
19 for them to take the lead on permitting and designing a
20 230 line to get up to their mine site, knowing full
21 well that longer term it had a lot of benefits to the
22 UNSE system, but we could let them kind of carry the
23 weight through the bulk of the effort in those early
24 years. That drug out, some things happened with the
25 mine that I'll talk about, and that's why it fell to

1 the wayside along the way.

2 And then UNSE realized where we were at in
3 the process and that we needed to get this thing going
4 again from a BLM perspective, and that's when we
5 started it back up again, driven by UNSE and our needs
6 that are starting to get closer.

7 So at the time this originally started, UNSE
8 didn't have a need for 230 but for that mine customer.
9 We said, you guys can run with this, get it sited and
10 built for our system, and it's going to provide
11 benefits to our system, we knew that, but let them run
12 with that. Because they didn't carry through with
13 that, then it sat idle for a while, and then we
14 resurrected the project.

15 MEMBER GENTLES: So am I -- can I guess that
16 as those requirements changed and so did the
17 communication of those requirements, those were
18 detailed in your outreach, based on the information I
19 saw in your binders?

20 MR. BECK: That's correct. Our
21 communications strategy changed a little bit to make it
22 clear that it was a UNSE-driven project, no longer
23 driven by one particular customer.

24 MEMBER GENTLES: So a follow-up question. I
25 assume that you'll take us through kind of differences

1 in the responses when it was a single-use customer
2 versus now responses as it stands today?

3 MR. BECK: We will talk about that, but I'm
4 not sure you're going to see too much difference in
5 positions that we've heard. I think the positions from
6 in particular the residents in Golden Valley have
7 stayed consistent throughout, but we'll talk about
8 that.

9 MEMBER GENTLES: Thank you, Mr. Chairman.

10 CHMN. CHENAL: You bet.

11 I think we're trying to finish up the flight
12 on Alternative 2, and then we still have Alternative 1.

13 MR. BECK: That's correct. So if we could
14 continue on with 2. So again, on the map on the left
15 you see we've turned the corner, we're headed west, and
16 we're coming up to where we join in with 3 and 4 -- or,
17 yeah, 3 and 4.

18 And so that was subroute West Cerbat
19 Alternative 2. The majority of the lines are common,
20 and these are just small subset segments that we're
21 reviewing now.

22 CHMN. CHENAL: I think we just saw 3, though.

23 MR. BECK: Yes. So now we're going to go
24 back to West Cerbat Number 1, and it's just this little
25 variation right here on the north/south piece. Again,

1 this is Shinarump Road.

2 And if you recall from yesterday, there was a
3 gravel pit that's out along West 1. We do have
4 documentation in the record -- in our record from
5 Mohave County to not interfere with the operation of
6 that gravel pit, not that we would, but just a point of
7 information.

8 So here is where this alternative now heads
9 north. Again, it's 800 feet away from Alternative 2.
10 But the terrain is just a little bit -- there's some
11 terrain in here that helps shield it some from the
12 west, and that was the point of kind of coming up a bit
13 of a draw here. But then as you see, it just joins up
14 with 3 right here -- or, 2. 2.

15 So those were the western alignments.

16 CHMN. CHENAL: And again to Member Noland's
17 point, there's no buildings and residences along 1 or
18 2 --

19 MR. BECK: Correct.

20 CHMN. CHENAL: -- at least until it gets to
21 the common area?

22 MR. BECK: Right.

23 CHMN. CHENAL: Now, could we --

24 MR. BECK: Well, there's just this little
25 spot right at the corner.

1 CHMN. CHENAL: That's right. That's right.

2 Could you do me a favor? Just quickly, let's
3 do a quick flyover of 4 again, Alternative 4, which we
4 saw yesterday. I just want to see again the structures
5 that it impacts.

6 MR. BECK: So let's go back to the very
7 starting point. And just slowly drag, rather than let
8 it play, just drag it until you see a house or some
9 kind of facility. Does that make sense to you?

10 So again, here's Kingman city proper, the
11 recreation area, and then our starting point right down
12 in here.

13 MR. WARNER: So we're going to try to follow
14 along on the right so that you can see it from a bird's
15 eye view as well while he's doing the fly-through.

16 MR. BECK: I think we'd be better -- let's
17 just do the fly-through. And then if we get to a photo
18 point, we'll have him come back to that, because we
19 don't want to confuse people.

20 So again, we left Harris, going by McConnico.
21 We started heading west. We cross highway --
22 Interstate 40. We cross the Oatman Highway or Highway
23 66 here. We get to Shinarump Road right here. Wash
24 area off to the left, and then here is the gravel pit
25 that I mentioned.

1 Maybe pause right there.

2 So here are two potential residences here,
3 and you're seeing them on the right-hand screen over
4 here. We can measure them, if you'd like to see that.

5 CHMN. CHENAL: You don't need to, unless
6 someone wants to. They're pretty close.

7 MEMBER HAMWAY: I like to see.

8 CHMN. CHENAL: All right. Let's measure
9 them.

10 MR. BECK: So Osmer, let's measure from this
11 one right here. Oh, and you've got that one.

12 So 363 feet from that one on the north side.
13 And then the one just off the screen here, 275 feet.
14 That's on the left side of the line.

15 Move the fly-through over.

16 MEMBER NOLAND: Mr. Chairman.

17 CHMN. CHENAL: Member Noland.

18 MEMBER NOLAND: The way you're measuring, are
19 you measuring to the edge of the corridor?

20 MR. BECK: Center line of the corridor.

21 MEMBER NOLAND: Center line. Okay. Thank
22 you.

23 MR. BECK: Here is a little trailer shown on
24 the right-hand side there. Now, that is right under
25 the line. I don't know if that's occupied or not.

1 CHMN. CHENAL: What's the distance from the
2 brown structure to the center line?

3 MR. BECK: Right there it's 86 feet, and
4 that's from the far side of the building.

5 So measure from the corner, Osmer.

6 That's about 65 feet.

7 Let's go up and just turn the corner here on
8 the flyover. You can see there was some stuff there,
9 but it's a little ways away.

10 Stop here. Maybe measure this one, because
11 think it's on the edge of the corridor.

12 It's 190 feet. I'm not sure if any of those
13 are residences or not.

14 CHMN. CHENAL: And is the one we're looking
15 at where all alternatives come together to the common
16 -- no, it's not. Okay.

17 MEMBER HAENICHEN: Maw I ask a question? How
18 are these ones you just measured getting power now?

19 MR. BECK: There are distribution facilities
20 out there that serve them.

21 MEMBER HAENICHEN: There are?

22 MR. BECK: Yeah.

23 Okay. Let's continue.

24 MEMBER GRINNELL: Mr. Chairman.

25 MR. BECK: That's where we join up again.

1 MEMBER GRINNELL: Mr. Chairman.

2 CHMN. CHENAL: Member Grinnell.

3 MEMBER GRINNELL: Didn't you say the
4 corridors were 500 feet width?

5 MR. BECK: Correct.

6 MEMBER GRINNELL: Then how do you get from a
7 house to the middle of the line at 190 feet?

8 MEMBER NOLAND: 250 on each side, yeah.

9 MR. BECK: Yeah, I don't know if we had the
10 corridor turned on back there. So the next house we'll
11 address that, the next building.

12 MEMBER GRINNELL: The reason I ask is,
13 couldn't you move that line to the farthest edge of
14 that corridor?

15 MR. BECK: So if we're granted a 500-foot
16 corridor, we just have to have our right-of-way inside
17 of that corridor. So if we do 125 feet, we'd be 62 and
18 a half feet from edge to center line of line. So we
19 could move it over to the edge.

20 MEMBER GRINNELL: So you could basically move
21 it over an additional maybe 432 feet, roughly?

22 MR. BECK: Well, a 500-foot corridor is 250
23 each direction. So we were measuring center line. So
24 we could move it up to 200 feet over, something like
25 that.

1 MEMBER GRINNELL: Farther into the monument?

2 MR. BECK: Yeah.

3 So this is where we joined up with 1 and 2
4 still going north. Again, the Cerbat Recreation Area
5 to the right side and this is private land on the left
6 side. Going through some hilly terrain.

7 Let's stop right there, and if we can measure
8 that distance. Go to that closest one, whatever that
9 is.

10 That's 87 feet. So the corridor -- this
11 would be 250 foot from center line, and we're measuring
12 that building at 87 foot from center line over.

13 CHMN. CHENAL: So the property is in the
14 corridor?

15 MR. BECK: Yes. Yes.

16 MEMBER NOLAND: Mr. Chairman, I'm just trying
17 to orient myself here. Are we in the common -- the
18 west common now?

19 MR. BECK: So we're on Western 4, and this is
20 all common here, coming up here, yes.

21 MEMBER PALMER: But this is common to all the
22 routes?

23 MEMBER NOLAND: Yeah. It's not just western
24 four. It's the common corridor for all --

25 MR. BECK: Yes.

1 MEMBER NOLAND: So is that structure on Shipp
2 Road? Is this where it turns or where is it?

3 MR. BECK: This is right here. So it's just
4 before we get up to the road up here.

5 MEMBER NOLAND: It's either Abrigo or Shipp.
6 Abrigo?

7 MR. WARNER: Abrigo.

8 MEMBER NOLAND: Okay.

9 MR. BECK: And again, trying to skirt around
10 this side of the hill to limit views from that side.

11 There's where we join up with Shipp Road, and
12 here you start to get into it a little bit more
13 development. Again, it's sparse, but there is houses
14 here and there.

15 Maybe pause right there. So let's measure
16 that one.

17 So I'm not sure if that's a home or if that's
18 a construction office, but that trailer is 33 feet from
19 the center line.

20 Okay. Continue on. So here is where we
21 cross Highway 68.

22 MR. WARNER: Yeah. And I think someone
23 remarked, that's State Land Department land. So it's
24 probably a construction site or a warehouse site.

25 MR. BECK: So again, we're back going along

1 Highway 93. One cell tower out in that area.

2 MR. WARNER: Just to orient people again,
3 this is common to all alternatives now, all the
4 alternatives, east and west.

5 MR. BECK: Let's pause it right there. Let's
6 try and look at 13.

7 MR. WARNER: How is your Internet working,
8 boys?

9 MR. BECK: So now again, this is the photo
10 from the drone. You're looking in a northerly
11 direction here. Highway 93. Here is the existing 69
12 kV line that's along Highway 93 that would be replaced.

13 Let's scroll to the left. Stop right there.

14 So I think this is Agua Fria Road, state land
15 to the north, and obviously private land to the south
16 with development. Some solar panels here. Some
17 trailer storage and then an RV park right here.

18 And maybe -- I don't know if you can scroll
19 up to see the highway.

20 So this is looking in a southerly direction
21 back towards Coyote Pass, and the line would be through
22 here.

23 And this is one stretch of narrow
24 right-of-way, so -- Member Noland, you had asked
25 yesterday. This is the one area that we today have 50

1 foot of right-of-way.

2 CHMN. CHENAL: Mr. Beck, I'm a little
3 confused now. You just said, I think, that the line
4 would go right over the development we're looking at on
5 the right screen.

6 MR. BECK: It would go right through this
7 area. So there's a pole there, so we're going to
8 rebuild that line. And so this green trees is growing
9 in our easement or right-of-way today.

10 CHMN. CHENAL: On the left screen where are
11 we?

12 MR. BECK: So this is the point where -- the
13 photo point. So we're kind of looking back in this
14 direction, so it's right in here. This is the RV park
15 right here.

16 CHMN. CHENAL: Are we still south of where
17 the interconnect would be if you used one of the
18 eastern routes?

19 MR. BECK: No, we passed that. So that was
20 back just before 68.

21 CHMN. CHENAL: Got it. So this is all
22 common, regardless of what alternative we take?

23 MR. BECK: Yes.

24 Let's just scroll around to the left. You'll
25 see across the highway here there's a housing

1 development called So-Hi. So-Hi Estates, I believe
2 it's called.

3 MR. WARNER: And actually, this photo point
4 is hovering right above one of the substations there.
5 So if you look directly down, you can see that, I
6 think. Rotate around. I know it's there. There it
7 is.

8 MR. BECK: This is the So-Hi substation, so
9 it showed up on -- it's on some of our maps, whether
10 you can see it or not. It's small-scale text. But
11 that's one of the subs that would be improved
12 definitely by the 230 service to the area.

13 CHMN. CHENAL: And is this going to connect
14 -- is the So-Hi substation going to connect -- it's not
15 going to connect to the 230 line?

16 MR. BECK: No, it won't connect initially to
17 the 230 line. No.

18 CHMN. CHENAL: But in the future it could?

19 MR. BECK: It could, yes.

20 Let's continue on with the flyover. So
21 again, we're just heading north along 93, replacing the
22 existing line.

23 MEMBER NOLAND: Mr. Beck.

24 MR. BECK: Yes.

25 MEMBER NOLAND: Could you stop that for a

1 minute and go back to where there was the 50-foot
2 right-of-way?

3 MR. BECK: Go back to that photo point for 13
4 where the RV park was.

5 So it's right in this area. So it's right
6 through this area in here.

7 MEMBER NOLAND: Is there a possibility that
8 you can put a pole on either end and just have the
9 lines going over that right-of-way so that you're not
10 right in somebody's yard, it could be somewhat outside,
11 and then string across?

12 MR. BECK: Yeah, so there's the potential to
13 -- so that's 700 foot from there to there, so easily we
14 could span through that distance.

15 MEMBER NOLAND: And you could then -- are
16 these the poles that you can replace, or do they have
17 other --

18 MR. BECK: These will be replaced.

19 MEMBER NOLAND: So you would remove the poles
20 that are in place there in the 50-foot right-of-way and
21 do a larger span. So it actually would -- would you
22 have to do a 125-foot right-of-way through there, or
23 could you maintain -- just through the area that's
24 around those structures could you maintain that
25 50-foot?

1 MR. BECK: We'd have to specifically look at
2 the -- what those buildings, their heights, so on, and
3 relative to conductors. So that's a possibility. Or
4 maybe we obtain a 125-foot easement, but they have
5 rights to keep certain facilities within that. So
6 we'll work with the property owner on that.

7 MEMBER NOLAND: And if you remember,
8 Mr. Chairman, Mr. Beck, we did that on the project down
9 in Tucson where it came very, very close to those
10 structures. We changed our width of right-of-way next
11 to those structures so that we didn't infringe on those
12 to the maximum amount that you wanted for the rest of
13 the project.

14 MR. BECK: Correct. Yes.

15 MEMBER NOLAND: Thank you.

16 MR. BECK: Let's continue and just drag it up
17 to get close to where it crosses the highway.

18 CHMN. CHENAL: I just would like to finish
19 the flyover here as quickly as possible so we can take
20 our break. No, no, questions are fine. I just think
21 it's time for us to take a break, but I'd like to
22 complete this part of it.

23 MR. BECK: So this is the turning point where
24 we're going to cross 93. Again, it's still a 69/230
25 line. The new substation location. The 230 drops into

1 here, the 69 continues on to the north.

2 And if you'd like to break there, we can come
3 back and do E2 and E1.

4 CHMN. CHENAL: I think that's a good time to
5 take a break.

6 Did you have any last questions,
7 Mr. Derstine?

8 MR. DERSTINE: I didn't have a last question.
9 I was going to indicate that Ms. Odisho was out on an
10 important mission to find some better quality cookies
11 and brownies.

12 CHMN. CHENAL: Very smart.

13 MR. DERSTINE: And she should be back fairly
14 shortly. So if you want to start on E and we'll break
15 as soon as she shows up, or we'll just wait for her to
16 get back.

17 CHMN. CHENAL: I think Member Haenichen is
18 going to have to suffer for the benefit of the group
19 and we'll take our break now.

20 MEMBER HAENICHEN: I quit.

21 CHMN. CHENAL: Let's take a 20-minute break
22 now, and then we'll resume.

23 (Off the record from 3:29 p.m. to 4:03 p.m.)

24 CHMN. CHENAL: All right, everyone. It's
25 time to resume the afternoon session. I think we've

1 made a lot of progress. A number of Committee Members
2 have mentioned to me, just generally, that they found
3 this -- today so far to be very productive and very
4 helpful. And I know there's a lot of material still to
5 cover, and I think we all have questions, but it's been
6 very productive so far.

7 Yes, Member Noland.

8 MEMBER NOLAND: Mr. Chairman, Mr. Beck,
9 before we start, and just because we just went through
10 this area, on the common east/west alternative, the
11 black line along 93, what is the right-of-way for the
12 current 69 kV along that area? Am I making sense?

13 MR. WARNER: The width of the corridor, is
14 that what you're asking?

15 MEMBER NOLAND: No. The current right-of-way
16 along the black line, that's the common.

17 MR. BECK: The majority of that is a hundred
18 feet, as I mentioned. And there's that one section
19 that's 50 foot, and it's right at that trailer park.

20 MEMBER NOLAND: Down at the very beginning
21 where it meets up --

22 MR. BECK: No. Right at Agua Fria Road, so
23 in the center part there.

24 MEMBER NOLAND: Okay. So a hundred feet from
25 there on --

1 MR. BECK: Yeah.

2 MEMBER NOLAND: -- and 50 below that?

3 MR. BECK: No. 50 just for that little
4 stretch. Probably they had built around -- those
5 structures and stuff were built before we had gone to a
6 hundred feet.

7 MEMBER NOLAND: Got it. Thank you.

8 CHMN. CHENAL: Mr. Derstine, if you want to
9 continue with your witnesses.

10 MR. DERSTINE: I think my witness is on auto
11 pilot.

12 BY MR. DERSTINE:

13 Q. I think we're ready to move on to the eastern
14 routes, is that right?

15 A. (BY MR. BECK) That's correct. So we're
16 ready to go to E2, if you want to start up E2.

17 So again, starting point Harris and/or
18 McConnico, depending. But we would head south if
19 we're -- if we're coming out of the Harris substation,
20 we would head south along the Nucor Steel property,
21 circle around McConnico substation, cross the railroad,
22 and then head east and then in a northeast direction.

23 A. (BY MR. WARNER) Now, in this area we're on
24 BLM, and this is a designated corridor for the BLM.

25 A. (BY MR. BECK) Let's pause that.

1 So just to point out here -- well, on the
2 right-hand screen, to Mike's point, this is BLM land
3 here and here and there's a designated corridor through
4 that, BLM-designated utility corridor.

5 You'll see on the flyover screen on the left
6 there's a solar field, which is right here on the
7 right-hand screen. And then the wind towers are out in
8 here, and there's -- it's hard to see, but there's
9 little access roads going to each of the sites, the
10 pads for those wind towers.

11 As I previously mentioned, Google doesn't
12 have those manmade features if they're not in an urban
13 setting. So if we do the Google flyover, they don't
14 show up in that view, but they're generally out in
15 these hills. And that was one of the drivers -- as we
16 were setting up the alternatives, we had to make sure
17 we didn't impede that future development of the wind
18 farms, which of course now has occurred. And there
19 you're seeing the wind towers on the right-hand side.
20 And they're just on the edge of BLM land. So they were
21 put on private property just outside of BLM.

22 MEMBER HAENICHEN: Mr. Beck, who did those?
23 Was it a private company?

24 MR. BECK: It was a private company called
25 Western Wind. Ex-SRP led the charge on -- ex-SRP

1 employee had led the charge on that to develop that
2 site. And then they came back in and added some solar,
3 which I don't want to point to because I'll blind
4 someone there. Right there is some solar they added to
5 that facility.

6 MEMBER HAENICHEN: But both of those are
7 quite small in capacity?

8 MR. BECK: Yes, they're not large.

9 Again, the Kingman area, there was that
10 potential for wind there, but it's not the best wind
11 potential, but it was at least economic for them to
12 develop that. When you look around the state, there's
13 not too many areas that have enough wind to develop,
14 but it did turn out that this was a site they could do.
15 And there's a couple other locations scattered up in
16 the Mohave area.

17 Let's continue with the flyover. So again,
18 this is E2. Down in the corner you can see we're about
19 halfway along E2. We turn back to the north, come up
20 over the hills, and this is where it is joining with E1
21 right here. So that's the end of that E2 segment.
22 It's just that little segment in there.

23 Now we'll go back and run E1, which goes all
24 the way from Harris up to the Mineral Park substation.
25 So again, we're exiting the Harris substation. It's a

1 single-circuit 230 kV line. Head east across the
2 railroad, come up over the hill. Just off to the right
3 is where E2 is. And again, this is where they join up.
4 So from this point on up, it's common to the E1, E2
5 alternatives.

6 Pause right here again.

7 MR. WARNER: So just before you get to the
8 railroad there in the foreground, you leave BLM
9 property right there and exit out of their designated
10 corridor.

11 MR. BECK: Yeah. So on the right-hand side
12 you see we're just getting ready to leave the BLM land
13 and go down to private. Here is the railroad on the
14 left-hand screen. We'll come along adjacent to Highway
15 66, which is over here. And again, this is the
16 Cunningham property, and the KAAA radio tower is
17 modeled right there.

18 MEMBER NOLAND: Mr. Chairman.

19 CHMN. CHENAL: Member Noland.

20 MEMBER NOLAND: Mr. Beck, what was the
21 rationale behind doing two alternatives, E1 and E2?

22 MR. WARNER: I think I can cover that. When
23 we went across the BLM property, it was prudent to have
24 more than one alternative. You've probably
25 experienced, in your observations about dealing with

1 BLM, that they like to have those two alternatives. We
2 started with more, but they ended up becoming boiled
3 down to these two. And they're just different
4 favorable alternatives on topography and things like
5 that.

6 MEMBER NOLAND: I know how Arizona Land
7 Department likes to run along the edge of their
8 property or on a section line or whatever. Is that the
9 rationale behind the one line, as compared to the
10 other, meandering through the property?

11 MR. WARNER: Yes, that's right. The one that
12 was on the edge of the property was intended to sort of
13 capture the very edge of the BLM specifically in case
14 they favored that. The other one is a little bit more
15 gentle to the topography and kind of dances through
16 those hills a little bit better. It's a little
17 shorter. Those are some of the things --

18 MEMBER NOLAND: Thank you.

19 MR. BECK: So again, along south of Highway
20 66, Cunningham property, the little RV trailer park
21 here. At this point we turn, cross over Highway 66,
22 and go along the edge of the Box Canyon here, staying
23 up high into the east edge of that alignment.

24 Let's just go on, because you've kind of seen
25 those visuals. Long canyon crossing here. Still

1 single-circuit 230 kV parallel and adjacent to I40, but
2 up on the higher ground. You see here we're
3 approaching the adult detention center, County
4 Administration Building, and this is at the point where
5 we would turn to the north.

6 So again, to the points that have been made,
7 one of the reasons and the values for this 230 kV
8 alignment and going on the eastern route is development
9 is going to be along this I40 corridor for major loads.
10 Whether it be industrial or distribution centers or
11 data farms, things like that, they're likely going to
12 want to be along the interstate and have access to
13 Highway 93, which is right in there. And so having
14 this line in this vicinity gives the future opportunity
15 to put 230 kV substations anywhere out in this area
16 that could serve these loads. And we wouldn't have
17 that opportunity if we're on the west side of the
18 Cerbat Mountains.

19 Let's continue. Maybe pause right there.

20 Again, you've got the TA truck stop in here,
21 a lot of open space around. You've got BLM over here,
22 so there won't be development there. But anything to
23 this side, great opportunity if we have 230 in there.

24 And one of the issues that we run into is
25 when a large customer would approach the company and

1 say, we'd like to build in your service territory and
2 put in this facility, we have a 50 or a hundred
3 megawatt load, and we don't have the -- in this case, a
4 230 line close to it, we're going to say, okay, we've
5 got to go through a siting process and then
6 construction and permitting, all of that. We're five
7 years out.

8 And they go to, as an example, Phoenix, and
9 Phoenix has the facilities there and says, oh, we can
10 do that in six months. Guess where they're going to
11 build.

12 So from an economic development standpoint
13 for Kingman and for UNSE, these facilities, having them
14 available and in the vicinity, are what are really
15 important and really drive the value of these projects.
16 And while we've shown throughout the case and talked
17 mostly about we want to start here and we want to end
18 up here, this alignment through that Kingman area
19 allows for that future opportunity to tap to this line
20 and feed loads that develop there, and we can do it in
21 a pretty short time.

22 Since we've got a 230 line, there's no siting
23 involved other than for the substation itself, which is
24 either city or county permits, depending on where we're
25 at, and then the 69 kV can be extended out of there to

1 those facilities easily. If the load is large enough
2 and right there, we may serve it right at 230. But
3 that's the big value of having this route through the
4 Kingman area, and it's really to support future Kingman
5 growth.

6 MEMBER GRINNELL: Mr. Chairman.

7 CHMN. CHENAL: Yes, Member Grinnell.

8 MEMBER GRINNELL: You discussed early on
9 about the costs related to this and the construction
10 costs being higher, but your right-of-way costs were
11 going to be substantially lower. And in looking at
12 this map, it looks to me like you're actually more on
13 private property going this way than you are on the
14 other way.

15 MR. BECK: Well, one of the things is where
16 we do have the existing 69 kV right-of-way, we've got,
17 in a large part, a hundred-foot right-of-way already.
18 So we're just acquiring 25 foot of additional
19 right-of-way.

20 MEMBER GRINNELL: Does that extend all the
21 way from the terminus at the Harris station, or is
22 that --

23 MR. BECK: No. Along this whole route -- we
24 do not have right-of-way along the whole route. So
25 yeah, we'll be buying some right-of-way down in the --

1 from Harris up, we'll be buying private easements
2 and/or right-of-way for that. The portion costs -- and
3 BLM will have some type of a right-of-way cost with
4 them based on their fee structure. And then, of
5 course, all this BLM will be a fee structure type
6 situation. But where we're on private property and we
7 have existing right-of-way, which is on the northern
8 portion from --

9 MEMBER GRINNELL: 93 up?

10 MR. BECK: Yeah. From approximately in here,
11 a lot of this starts to become private through here, we
12 have existing rights-of-way, and especially that piece
13 from Highway 68 all the way up along 93. Of course,
14 that is common.

15 BY MR. DERSTINE:

16 Q. Can you show the portion of the eastern route
17 that's not common and which we already have
18 right-of-way, please?

19 A. (BY MR. BECK) So we have rights-of-way along
20 the majority of this stuff in here, and from this area
21 on this map kind of going up through here. And then
22 we've got BLM rights through there.

23 Q. And the portion, I guess, where you're
24 indicating you already own right-of-way, that is the
25 same portion where you'll be co-locating with the 69,

1 is that right?

2 A. (BY MR. BECK) From this point here north
3 will be co-located, correct. Yes.

4 CHMN. CHENAL: And from that point south to
5 where it's Number 26 -- where south does the
6 co-location end?

7 MR. BECK: So the co-location really starts
8 right -- I think this is Beale Springs, is that right?

9 CHMN. CHENAL: I misspoke, Mr. Beck. From
10 that point south, where do you have right-of-way?

11 MR. BECK: You know, we'll get you that
12 information.

13 CHMN. CHENAL: Okay. I know you would have
14 to add to it a little, but, I mean, I think it would be
15 helpful to see an overlay with that.

16 MR. BECK: Yeah, I think we have that. We
17 just need to get it into something we can show you, and
18 we'll do that.

19 Let's continue. So again, we've come behind
20 the TA truck stop. I heard a reference, I think in
21 public comment yesterday, to gasoline alley, which I
22 think was that area.

23 Again, we're going along 93. You can see
24 existing roads for access. We cross over --

25 CHMN. CHENAL: May I ask you to stop there

1 and just roll it back a little? Let's take a few
2 measurements just so we have an idea of the structures
3 that we saw to where the line would be located. Just a
4 few to spot check it.

5 MR. BECK: So it's 112 feet, 160 feet. Maybe
6 get that little building here, which is probably an out
7 building. That's 95 feet, 159 feet.

8 CHMN. CHENAL: And to your understanding, are
9 most of these buildings that we're taking the
10 measurements on now commercial or industrial versus
11 residential?

12 MR. WARNER: It's mixed, but there's a lot of
13 industrial in this area. That one that we probably
14 took a marking off right there, that's probably the
15 garage of a house. It's a little bit further away. So
16 there's some of both.

17 MR. BECK: I think your commercial is
18 probably more along the road, Mike, and then the ones
19 that are set back may be houses.

20 MR. WARNER: Yeah. Yeah, that gives you a
21 better indication from this drone footage.

22 And as Mr. Beck is pointing out, that access
23 road that you can see depicted in the fly-through, you
24 can see there's an existing line there. So it's not
25 being double-circuited in this location, but it is

1 parallelling that and sharing the right-of-way.

2 CHMN. CHENAL: And stop it there on the right
3 screen. And just the relative size of the structures,
4 those are 69 kV. What's the height of those towers
5 versus what the 230 would be?

6 MR. BECK: We'll find out for you,
7 Mr. Chairman.

8 So that photo does give a good representation
9 of what's out there. Some of these sites probably are
10 prime development for major businesses should they
11 decide to come in here. Again, if they're backed right
12 up against a 230 line, that gives a lot of opportunity.

13 MR. WARNER: And what we've observed about
14 development out in this area is the roads are
15 important. And so existing roads have a collection of
16 uses that are on them, and so that's why you see some
17 of the concentration. That's a very old road there
18 that's got development that's occurred over the past
19 hundred years.

20 MR. BECK: Good to move on, Mr. Chairman?

21 CHMN. CHENAL: Sure. Thank you.

22 MR. BECK: So again, we're approaching -- on
23 the left-hand side is the recreation area. We're
24 crossing 93.

25 Pause right there, please.

1 Again, this is Fort Beale Springs, which
2 you're going to hear more about. It's a trailhead and
3 it's got a history behind it that you'll hear about,
4 just so you know. And at this point, this corner
5 structure is where we become double-circuit with 230
6 and 69 both from this point north. And then this is
7 the stretch where poles would be topped because of the
8 communication facilities that are on those existing
9 poles.

10 CHMN. CHENAL: Member Palmer.

11 MEMBER PALMER: I'm just curious why you
12 wouldn't double-circuit the 69 that came through that
13 area we just flew through?

14 MR. BECK: That's something we're going to
15 have some internal discussions about, because it would
16 be a good thing to do. And I'm not sure why it wasn't
17 done that way.

18 MEMBER PALMER: Thank you.

19 MR. BECK: Let's continue. So it's this
20 stretch on the right-hand side, that's the area with
21 communications.

22 Pause it right here. Then if you can zoom
23 in. Go just a little bit to the left. Maybe you have
24 to turn the BLM off.

25 I was trying to show that the continuation of

1 that communication line is right there. So they're on
2 their own structures here. This is where they join up
3 with our existing 69, and that's the portion that we
4 need to work with the communication companies to try
5 and get them to move off of our poles. But initially
6 the anticipation is we'll be topping our poles, taking
7 our circuit off, topping the poles, and so that would
8 stay in place and adjacent to our 230/69 line. And
9 that's the way the EA was analyzed with BLM, with that
10 anticipation.

11 MR. WARNER: Now, as we cross the highway
12 here again and we enter back into BLM land and in that
13 designated corridor and further up, we'll be combining
14 all alternative routes. We'll be in that same
15 designated corridor. So the nomenclature for the BLM
16 corridor in this area is the same for all of the
17 alternatives, but the other alternatives don't join us
18 for a while.

19 MR. BECK: So again, that's the dividing
20 line, BLM to private lands, basically at the highway
21 crossing. So we can -- you'll see here, as we cross
22 back over the road, this is BLM trailheads, part of
23 their recreation area. And their signage and some
24 trails you'll see, but there will be further testimony
25 about that to come.

1 Let's continue. So just a reminder, we're
2 here on the map. We're continuing in a north
3 direction, double-circuit 230/69 kV. We go through
4 what's called Coyote Pass, and then let's pause right
5 here. Here is the KYET radio tower.

6 And maybe you can zoom in a little more on
7 this and then go to the left a little bit. Back out
8 just enough to see the line. Yeah, in there.

9 So it's hard to see, but there was a pad
10 created here for the KYET tower when they originally
11 developed it. You heard about the grounding grid that
12 they put in. And I believe, at least for KAAA, they
13 mentioned 135-foot-long ground wires that extend out
14 from the structure in all directions providing their
15 grounding grid. We're not going to be anywhere near
16 that. We're not going to disturb that.

17 Similarly, we didn't talk about this, but
18 down at the KAAA location likewise we're not going to
19 be around that tower, so we're not going to be within
20 135-foot, we're not going to disturb any of the
21 grounding grid.

22 So really the only issue is potential radio
23 interference. And again, the height of this structure,
24 I believe it -- was it this one -- 200 feet, as
25 compared to our roughly 100-foot-tall 230 kV line, plus

1 the terrain, you know, there's a little bit of
2 elevation difference, but they're probably pretty close
3 to the same. But here is the big hill or mountain that
4 is a backdrop for any radio signals coming this way
5 that come towards our structures. So likely if they're
6 getting any kind of interference, they're already
7 getting it from this mountain. And in fact, their
8 signals go in a straight line, so they're hitting that
9 mountain and not going anywhere. They're radiating out
10 both north and to the south. And I don't think that
11 200 feet gets them above that ridge line.

12 CHMN. CHENAL: Mr. Beck, just to clarify
13 Mr. Raatz's testimony this morning, the closest
14 distance the line would come to the tower is, what,
15 500-and-some feet?

16 MR. BECK: Let's go ahead, Osmer, and just
17 measure that off. We said it was about 500 feet, but
18 we'll just validate that.

19 In almost a straight line it's 525 feet, so
20 it's pretty close to 500 feet.

21 CHMN. CHENAL: It's pretty close. And
22 that's -- the standard, if you will, the industry
23 standard of calculation would be about 800, but you've
24 already explained the reasons why you don't believe
25 there will be any interference.

1 MR. BECK: Right. I think the number was
2 850, but yeah.

3 CHMN. CHENAL: And the other tower, the line
4 will be more than 1,150 feet away because of the
5 placement on the bluff --

6 MR. BECK: Correct.

7 CHMN. CHENAL: -- between Box Canyon and --

8 MR. BECK: Cook Canyon.

9 CHMN. CHENAL: -- and Cook Canyon. Okay.
10 Thanks.

11 MR. BECK: Yes. Okay. Let's continue on
12 with the flyover. So again, we're going out and
13 around, kind of squared off here to get around the
14 radio tower. We come back to the northeast, get back
15 towards 93, come along the Arizona port of entry. Then
16 we turn kind of following the off ramp and Highway 68
17 to get back to the point where we join in with what was
18 the western routes.

19 MR. WARNER: I think we just crossed over
20 state land there, is what I recall. So this last
21 little push right to join the routes is state land, I
22 think.

23 MR. BECK: Yeah. So I think the gray is
24 state land here.

25 MR. WARNER: I think so.

1 MR. BECK: And then BLM is the yellowish
2 greenish color.

3 MR. WARNER: Right.

4 MR. BECK: Interesting little inset of state
5 land, but it is what it is.

6 So on the flyover we join up with the western
7 routes. So from this point north, it's all common to
8 all of the routes. Again, it's the 230/69 kV
9 double-circuit construction.

10 Let's go ahead and continue. Again, these
11 little purple representations are -- we have some
12 photos there. If anybody wants to stop and see them,
13 we can do that. Again, we're parallel and adjacent to
14 Highway 93.

15 Let's pause right here. Let's just take a
16 measurement from that structure, Osmer, to the line.

17 MR. WARNER: A little further north, Osmer,
18 where the cell tower is. Yeah.

19 MR. BECK: Yeah, there you go. 128 feet.

20 Then let's measure from the cell tower over.
21 203 feet.

22 Let's continue on. Let's pause it right
23 there and maybe just take a few measurements. You're
24 going to see that these are pretty close to the line
25 right here.

1 MR. WARNER: Now, just to remind everyone,
2 this is an area you've seen already.

3 CHMN. CHENAL: Where you can span it?

4 MR. WARNER: That's right. This is the area
5 that we were talking about spanning and had those
6 discussions, a 50-foot right-of-way.

7 MR. BECK: So that's 37 feet on that side.
8 Basically on this side you're right on that building,
9 right at the edge of it.

10 CHMN. CHENAL: So if you're able to span it,
11 even though -- you would haven't to remove any of the
12 property that we're looking at if you were able to span
13 it, or would you?

14 MR. BECK: We'll have to look at that real
15 closely in design. We would attempt to center the
16 conductors as much as we can in this right-of-way. And
17 then as long as there's no blowout issues, where the
18 wire can blow over too close to a structure, we would
19 be okay. It might drive the height up a little bit to
20 keep it up above. So even if it does blow out, it's
21 not where someone could encroach on the wire if they're
22 standing on the roof. So as long as we can meet all
23 the code requirements, we have the potential to span
24 through here.

25 CHMN. CHENAL: And if not, what?

1 MR. BECK: Then we have to buy --

2 CHMN. CHENAL: Buy the property?

3 MR. BECK: Yeah.

4 And again, here is our existing So-Hi
5 substation.

6 Let's continue. Again, this is state land on
7 the left-hand side without any development out here.
8 And then we get to this point here, we cross back onto
9 BLM land. And again, this is the common 230/69 line,
10 500-foot-wide utility corridor -- requested CEC
11 corridor, I should say.

12 Again, we reach the point where we cross over
13 Highway 93. Then we come into the new substation, and
14 the 69 existing continues on, 230 drops into the
15 station.

16 And then the mine is the old Mineral Park
17 Mine. This is Mineral Park Road. The mine is up in
18 the hills up here, and there is a 69 line that goes up
19 there today, which we'll be talking more about. In
20 fact, there's the mine on the right-hand screen right
21 there.

22 MR. WARNER: Zoom out just a little bit.
23 There, you can see the mine.

24 MR. BECK: This is their tailings and this is
25 their pit operations.

1 MEMBER HAENICHEN: Mr. Chairman.

2 CHMN. CHENAL: Yes, Member Haenichen.

3 MEMBER HAENICHEN: Mr. Beck, what kind of
4 mine is it?

5 MR. BECK: Started out as a copper mine.
6 Their big product, at least in the 2000s, was
7 molybdenum, moly, so they're selling a lot of that.

8 They also have some really high-grade
9 turquoise. So there's a separate agreement with the
10 mine owners. It's a contract that goes back, I think,
11 to when the mine first opened in '63. And there's a
12 local company that gets all of the turquoise that comes
13 out of that mine, and it's called Kingman turquoise and
14 it's considered really high-grade.

15 MEMBER HAENICHEN: Is the turquoise co-mined
16 with the metal?

17 MR. BECK: I believe as they find spots, what
18 the mine does is calls up this other entity and says,
19 we've exposed some turquoise. Come take it.

20 MEMBER HAENICHEN: And then why do they -- is
21 this a good point to talk about that transition? We
22 talked about earlier that this was the original purpose
23 of the 230, now it's the secondary purpose.

24 MR. BECK: Well, again, I've got some slides
25 that really deal directly with that, so just a little

1 bit later I think might be good. But to your point,
2 this was the mine that was driving that original timing
3 need for a 230 circuit.

4 CHMN. CHENAL: Does that need still exist,
5 it's just supplemented with the need for power for the
6 developing areas?

7 MR. BECK: Again, I've got a whole storyline
8 to tell you. It might be helpful with some slides.
9 But there is not the real driver from the mine that
10 there was back then.

11 CHMN. CHENAL: I'd rather be in suspense and
12 wait for that part, Mr. Beck.

13 MR. BECK: Okay. I can do that.

14 So with that, that was the flyover,
15 Mr. Chairman.

16 CHMN. CHENAL: Good. That was nice. It was
17 well done, and I want to compliment the applicant and
18 the folks that put that together. Because I do ask for
19 that, since we're not taking a tour, and personally I
20 think that was, you know, a good substitute. Nothing
21 is a substitute for an actual tour, but this was good,
22 very good.

23 MEMBER NOLAND: Mr. Chairman.

24 CHMN. CHENAL: Member Noland.

25 MEMBER NOLAND: And it was much better with

1 the drone capability to give us a little more of a
2 drill down and way better than the one you used in
3 Tucson.

4 MR. BECK: Yeah, it gives you much more
5 context with that video, with the 360 views.

6 CHMN. CHENAL: Now, it's not as good as the
7 helicopter tour we had on one of our previous cases.

8 MR. BECK: I can imagine. I would enjoy that
9 too.

10 MR. DERSTINE: I was just going to ask if
11 there was any value or any interest on the Committee to
12 come back off the common and just to where the eastern
13 route started and if you wanted to roll back down that
14 to the beginning or you felt you got enough on the
15 east. Member Noland is shaking her head. She's had
16 enough.

17 MEMBER NOLAND: That's just me.

18 CHMN. CHENAL: Just one area. Because I
19 think what was interesting from this -- the eastern
20 route is there's -- it doesn't really impact a lot of
21 structures until it gets to the north of I40 and gets
22 close to the truck station. Is that -- is that
23 correct?

24 MR. WARNER: That's right. In fact, as you
25 cross over the private land to the south, there aren't

1 structures in proximity to the line until you start
2 getting up along the I40 corridor and turn the corner
3 on 93. That's right.

4 CHMN. CHENAL: And again, it was just the TA
5 truck stop where there was a right angle there, and
6 then that's where we --

7 MR. WARNER: That's where we start. That's
8 right.

9 CHMN. CHENAL: Can you pull it back just a
10 second, and let's see what's down to the southeast
11 there. The structures on the right there, the white
12 structures, what are those?

13 MR. BECK: I believe that was the prison
14 complex.

15 MR. WARNER: Yeah, that's the county prison.

16 CHMN. CHENAL: Prison?

17 MR. WARNER: Or jail.

18 CHMN. CHENAL: And then as we proceed from
19 there is a truck stop, and then we get into the -- is
20 it gasoline alley? Is that what it was referred to as?

21 MR. WARNER: That's right. And this is
22 where we're parallelling the existing lines, and so
23 there's -- we're parallelling existing line in here.

24 CHMN. CHENAL: And that's -- from TA truck
25 stop to where we're no longer -- you're no longer

1 impacting any of the residences or properties, about
2 how far of a distance is that?

3 MR. WARNER: I don't know offhand. We'll
4 have to look that up.

5 CHMN. CHENAL: Just as the crow flies.

6 MR. BECK: What's that distance from 27 to
7 right there?

8 MR. WARNER: To the BLM, yeah. Just take a
9 snapshot, see what that is.

10 MR. BECK: 4,000 feet, roughly.

11 CHMN. CHENAL: So it's less than a mile.
12 Okay. Thank you.

13 MR. BECK: And I did have Osmer measure.
14 From the KAAA tower to the line was 1,234 feet.

15 CHMN. CHENAL: Member Hamway.

16 MEMBER HAMWAY: I'm still kind of confused on
17 the numbers that were used by, I think, Jean Bishop,
18 where she said the east route affected 140 residences
19 and west 80 residences. Are we going to see where all
20 those residences are? And how was that determined?
21 Did they receive a postcard? How are you determining
22 "being affected by."

23 MR. WARNER: Those are measurements from the
24 center line. And we will go through that a little bit
25 more in detail so you can see where they're clustered.

1 But even as you look at these photos you can see how
2 challenging it is to determine which is a living
3 structure and what isn't. And so there is -- those
4 numbers represent proximity of structures to the line,
5 and so I think that's the context that's worth taking
6 away. And we'll walk through those.

7 MEMBER HAMWAY: So proximity being a half a
8 mile?

9 MR. WARNER: The distance is displayed in a
10 table. I wonder if we could pull that table up now.

11 MEMBER HAMWAY: If you're going to do it
12 later, it doesn't matter. That's fine.

13 CHMN. CHENAL: Yeah, if we're going to do it
14 later.

15 So does any Committee Member wish to see any
16 other portion of the flyover? Any of the online
17 members?

18 (No response.)

19 CHMN. CHENAL: Okay. It doesn't look like
20 that's the case.

21 MR. BECK: Mr. Chairman, if I may.

22 CHMN. CHENAL: Sure.

23 MR. BECK: I kind of mentioned that any of
24 this area could be developed for businesses or
25 whatever. But to the point that this is or has been

1 gasoline alley, with the future of electrification and
2 electric vehicles, if some of those gas stations
3 convert to electric charging stations and they needed a
4 high volume -- again, a 230 line right in that vicinity
5 makes a lot of sense. And again, this being a
6 crossroads with Highway 93 and I40, it might be a
7 perfect location for a high-speed charging station for
8 people traveling to Vegas or wherever.

9 CHMN. CHENAL: So Mr. Beck, question: Where
10 is the nearest substation to this area that you just
11 referred to?

12 MR. BECK: So if we back out a little bit.
13 Right around in here somewhere is the existing Western
14 Area Power Hilltop substation, which I think was
15 mentioned yesterday over a half of our imports across
16 the Western system come in at that Hilltop station. So
17 that is the main delivery point into Kingman from WAPA.

18 And so by inserting the Harris substation as
19 a UniSource takeaway point from McConnico off of the
20 western system, we can offload that Hilltop station and
21 get it down below 50 percent and start bringing more of
22 it in at Nucor/Harris and have the ability to bring it
23 all the way up to Mineral Park.

24 CHMN. CHENAL: So question: In terms of
25 future development of Kingman and -- I mean, to your

1 point, how would that happen? How would you convert
2 the 230 kV into a usable source of power for the
3 Kingman area? Would you use existing substations,
4 including Harris, and bring in 69 kV lines from there?
5 Would you build another substation and tie it into the
6 230 line? How would you do it?

7 MR. BECK: So if we get a big request up
8 somewhere in this area, we likely would put a 230-to-69
9 substation in the vicinity of the line. And then that
10 becomes an offtake point to bring 69 throughout and
11 extend feeders out.

12 CHMN. CHENAL: Okay.

13 MEMBER NOLAND: Mr. Chairman, can I see your
14 pointer for a second?

15 CHMN. CHENAL: Yes.

16 MEMBER NOLAND: Mr. Chairman, Mr. Beck, right
17 here is TA, right?

18 MR. BECK: Correct.

19 MEMBER NOLAND: Don't go too far in. Go a
20 little further out. There you go.

21 All right. We're on this side of 93. On
22 this side there are some gas stations, but there's some
23 housing development back in there on that side, where
24 there isn't on this side, and a motel or two and
25 another kind of business structure right up here, is

1 that correct?

2 MR. BECK: Correct.

3 MEMBER NOLAND: Okay. So it makes more sense
4 to be on the side you're looking at with the current
5 right-of-way and 69 kV structures?

6 MR. BECK: Correct. And in fact, that was
7 part of the discussion that took place with the City
8 that ended up with their resolution coming forward. In
9 their initial look at the project, they had some poor
10 visual simulations that were done by, I think, their
11 internal staff that showed almost a picket fence for
12 the 230 line, pole after pole after pole coming up over
13 that hill.

14 And when we saw those we said, wait a minute.
15 This is not right. So we did some better
16 visualizations to show them, this is really what it's
17 going to look like. We took them out in the field, did
18 the field trips, and had working sessions with them.
19 And we'll talk more about this later. But that was
20 part of the impetus to get -- that the City took all of
21 that input and recognized that this was a good avenue
22 for the 230 kV line and ultimately passed their
23 resolution.

24 Now, granted, due to the time lapse,
25 obviously the people, internal staff at the City,

1 didn't realize they had passed that resolution. But at
2 the time, it took a lot of effort to educate them on
3 what this project was and what it was going to look
4 like, and in the end they said, yes, this has value to
5 our community, this location has value, and we support
6 that eastern route. And in fact, the resolution they
7 passed was a little stronger than we even expected to
8 see from them.

9 MEMBER NOLAND: Mr. Beck, the new structures,
10 there will be less of them than the old structures,
11 poles?

12 MR. BECK: Yes, there will be a longer span.

13 MEMBER NOLAND: Thank you.

14 MR. BECK: Now, just real quick to point out,
15 since this kind of shows it, there's so many angles in
16 this, you know, the turns. That is part of the
17 material and project cost being higher on a percentage
18 basis, because we're making so many turns through these
19 areas. And it's just because of the right-of-way and
20 the location and what made sense to utilize some
21 existing features out there caused us to have those
22 turning points.

23 MR. WARNER: And this kind of thing is not
24 uncommon when you're trying to develop into an area
25 that's already developed. You see that if you're

1 trying to build a big box store downtown, they always
2 push you out to the outside of town because it's
3 easier, right. And putting something down, like a big
4 stadium in central Phoenix and to put it right down in
5 the heart, takes courage, and I think it takes some
6 coordination that takes time. And so that's
7 essentially why you see some of the impacts a little
8 differently than what you'd see on the west. They're
9 very different routes in many different ways.

10 MR. DERSTINE: I was just having Ms. Odisho
11 check. There's a couple who are sitting out in the
12 hall. I don't know if they're here to give public
13 comment or they're just viewing. I thought I'd check
14 in with them and see where we are there.

15 Oh, they're Mr. Cunningham's family. Very
16 good. That answers the question.

17 MR. CUNNINGHAM: This is the brother and the
18 cousin that might care about that line, East Number 1.

19 MR. DERSTINE: Okay. Good. Well, I'm glad
20 they're here and watching.

21 CHMN. CHENAL: I might want to put him under
22 oath and ask him what he had to tell his brother to
23 ruin the view of Box Canyon. I'm really curious about
24 that, if you can't tell. I'm just curious how that
25 conversation went.

1 MR. CUNNINGHAM: I'm available for public
2 comment at your beck and call.

3 CHMN. CHENAL: So where are we, Mr. Derstine?

4 MR. DERSTINE: Well, we're ready to start off
5 on getting to Mr. Gentles' question and some of the
6 questions from Member Hamway, the mine, the history,
7 the initial trigger for this project. That's where we
8 were going to start. We're close to 5:00. My
9 suggestion is that -- we kept you here late yesterday
10 with public comment -- that we end the day a little
11 short of 5:00 and we'll start fresh tomorrow and talk
12 about the project triggers, the permitting history in
13 the early phase, 2007, 2008, how that drove the
14 development of these additional alternatives, and give
15 you that history that you folks have been focusing some
16 good and important questions on. We want to get you
17 those answers.

18 CHMN. CHENAL: Unless a Member of the
19 Committee thinks otherwise, let's call it a day and
20 we'll come back tomorrow at 9:00. And I think we're
21 making some progress. I don't know if you think we'll
22 finish tomorrow or we go into Thursday. It looks like
23 maybe Thursday. That's what Mr. Derstine has said from
24 the very beginning. And so we'll probably end up
25 going, then, into Friday deliberations, but let's just

1 see where we go.

2 MEMBER NOLAND: Mr. Chairman.

3 CHMN. CHENAL: Yes.

4 MEMBER NOLAND: One thing ahead of all of
5 that, and I think you know this is coming, in the CEC I
6 only see reference to the 500-foot corridor and not to
7 the size of the right-of-way. And I know that's going
8 to change throughout, but I'm personally going to want
9 to see a map that would be attached that will show the
10 varying rights-of-way that we've been talking about.
11 So when we get down to that point, I think we need to
12 say, you know, most of it's going to be 125 feet, but
13 in these areas it may go down to, you know, 50 feet or
14 whatever.

15 MR. BECK: Mr. Chairman, Member Noland, we
16 understand your concern. I think it's a little bit
17 unusual for the CEC to have that in a map. Not to say
18 we can't do it. I think we've, in our application,
19 said we will typically obtain a 125-foot right-of-way.
20 But for your particular concerns, we'll at least
21 entertain how we can do that.

22 MEMBER NOLAND: Mr. Chairman, Mr. Beck,
23 there's only just a couple of places that, if we choose
24 those routes, that we should really get down to the
25 nitty-gritty on how wide we really want to see those

1 rights-of-way. And we've done it before and you've
2 done it before. So I don't think we need to do it
3 everywhere; but if it's going to deviate, then maybe we
4 point that out.

5 MR. BECK: We can do it by exception, that
6 these particular areas -- we'll figure that out, yes.

7 CHMN. CHENAL: So let me ask, Member Noland,
8 because you're the title and description person for
9 purposes of a CEC that I rely on. Is this one where a
10 map with corridors drawn in with maybe some specific
11 notes delineating particular right-of-way limitations
12 would be sufficient, as opposed to a legal description?
13 I think a legal description would be very difficult in
14 this case.

15 MEMBER NOLAND: I think the map would
16 suffice.

17 MR. BECK: And Mr. Chairman, that's kind of
18 what we've prepared for our legal is basically a map
19 that's got ties to section lines and so on and the
20 corridor widths shown. So to put some exception notes
21 for these areas, we'll have a narrower right-of-way,
22 can be done.

23 CHMN. CHENAL: And then we have a couple
24 homework -- three homework items, by my count so far.
25 Number one is a sorted list of comments by date, second

1 is a sorted list of comments by person, and third is
2 the location of the rights-of-way vis-a-vis the
3 proposed line at least for the eastern route.

4 MEMBER GENTLES: Mr. Chair.

5 CHMN. CHENAL: Yes, Member Gentles.

6 MEMBER GENTLES: I've been thinking about
7 that sorted list. And I don't know if you're
8 requesting an actual printed version of that that's 170
9 pages resorted. I'd be just fine if I got it in an
10 Excel spreadsheet and we could sort it by whatever
11 columns we want instead of printing 170 pages times
12 seven people, if it pleases the Chair.

13 CHMN. CHENAL: Yeah, let me ask the
14 applicant. I was thinking that we might have one
15 printed copy that would go into the record, but we
16 would have either one of two options. One would be an
17 Excel spreadsheet that could be sorted by the Committee
18 Members; and I don't know how the applicant feels about
19 that. The other is a PDF of the two sorted lists, you
20 know, sent electronically. I certainly wouldn't ask
21 for all this to be in paper format.

22 MR. WARNER: Yeah. And it will be in a PDF
23 and printed. In terms of the sorted things, I think
24 we'll get there. So I'll report out on that in the
25 morning.

1 CHMN. CHENAL: Just so we're clear, I think
2 Member Gentles is asking for a literal Excel
3 spreadsheet to be sent to him to where he can sort it
4 himself. And I'm asking, I guess, the Committee if
5 that's the preference, or alternatively, if it would be
6 actually sorted for us by date in one case and by name
7 in another and that would be sent in a PDF format. So
8 we could not sort it ourselves, but we would have those
9 two formats to review electronically.

10 MR. BECK: Mr. Chairman, maybe if the
11 applicant is allowed to review that overnight. Because
12 we've got the consultant working on that, but it's a
13 matter of what they can format and get prepared. And
14 if it can go into an Excel spreadsheet, I don't see any
15 reason we couldn't provide that, but we've just got to
16 be sure that we can do that.

17 CHMN. CHENAL: Okay. That's fine.

18 Member Gentles, is that okay for now?

19 MEMBER GENTLES: That's fine. I just need it
20 in an Excel spreadsheet and I can do the sorting
21 myself. But I do agree that, for the record, it should
22 be sorted by date for insertion into the record.

23 CHMN. CHENAL: Yes. And by person, those
24 two.

25 MR. BECK: Understood.

1 CHMN. CHENAL: Is there anything else we
2 should discuss before we break for the evening and
3 resume tomorrow at 9:00 a.m.?

4 I think it was a very, very productive day.
5 I have to say, this is a very complicated case.
6 There's a lot of issues. It's a lot more
7 complicated than I thought coming in. And I can see
8 why Mr. Derstine was not going to say we'll finish up
9 Wednesday.

10 Okay. So we'll see you all tomorrow at
11 9:00 a.m. Thank you.

12 (The hearing recessed at 4:57 p.m.)

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