

1 BEFORE THE ARIZONA POWER PLANT

LS-423

2 AND TRANSMISSION LINE SITING COMMITTEE

3 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO.  
4 IN THE MATTER OF THE APPLICATION OF ) L-00000F-24-0270-  
5 UNS ELECTRIC, INC., IN CONFORMANCE ) 00242  
6 WITH THE REQUIREMENTS OF A.R.S. § ) LS CASE NO. 242  
7 40-360, ET. SEQ., FOR A CERTIFICATE )  
8 OF ENVIRONMENTAL COMPATIBILITY )  
9 AUTHORIZING THE BLACK MOUNTAIN TO )  
10 GRIFFITH 230 KV GEN-TIE PROJECT, )  
11 WHICH INCLUDES THE CONSTRUCTION OF )  
12 A NEW 230 KV TRANSMISSION LINE )  
13 ORIGINATING AT THE EXISTING BLACK )  
MOUNTAIN GENERATING STATION )  
(SECTION 14, TOWNSHIP 19 NORTH, )  
RANGE 18 WEST), AND TERMINATING AT )  
THE EXISTING GRIFFITH SUBSTATION, )  
OPERATED BY WESTERN AREA POWER )  
ADMINISTRATION (SECTION 06, )  
TOWNSHIP 19 NORTH, RANGE 17 WEST), )  
LOCATED WITHIN UNINCORPORATED ) EVIDENTIARY  
MOHAVE COUNTY, ARIZONA. ) HEARING  
)

14 At: Phoenix, Arizona

15 Date: March 25, 2025

16 Filed: March 28, 2025

17

18 REPORTER'S TRANSCRIPT OF PROCEEDINGS

19 (Pages 167 through 234)

20

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1 BE IT REMEMBERED that the above-entitled  
2 and numbered matter came on regularly to be heard before  
3 the Arizona Power Plant and Transmission Line Siting  
4 Committee at Phoenix, Arizona, commencing at 9:00 a.m.  
5 on March 25, 2025.

6

7

8 BEFORE: ADAM STAFFORD, Chairman

9 LEONARD C. DRAGO, Department of Environmental  
Quality  
10 ROMAN FONTES, Counties  
(Videoconference appearance.)  
11 DAVID FRENCH, Arizona Department of Water Resources  
(Videoconference appearance.)  
12 JON H. GOLD, General Public  
R. DAVID KRYDER, Agriculture Interests  
13 MARGARET "TOBY" LITTLE, General Public  
(Videoconference appearance.)  
14 GABRIELA SAUCEDO MERCER, Arizona Corporation  
Commission  
15 DAVE RICHINS, General Public

16

17 APPEARANCES:

18 For the Applicant:

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20 By: Elias Ancharski  
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21 Phoenix, Arizona 85012

22 and

23 TUCSON ELECTRIC POWER COMPANY  
By: Megan Hill  
24 88 East Broadway, MS HQE910  
P.O. Box 711  
25 Tucson, Arizona 85702

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

3 Ms. Grabel, you've concluded your direct  
4 testimony, correct?

5 MS. GRABEL: Correct.

6 CHMN STAFFORD: All right. And are there  
7 any other questions from members?

8 Member Richins.

9 MEMBER RICHINS: Chairman, due to not being  
10 present at the public comment last night, did we have any  
11 comments?

12 CHMN STAFFORD: Yes, we had very brief  
13 comments. We had comments from an employee of TEP and  
14 from a Mohave County Supervisor in favor of the project.

15 MEMBER RICHINS: Thank you.

16 CHMN STAFFORD: We had no public comment in  
17 opposition.

18 Ms. Grabel, are you set to give your  
19 closing?

20 MS. GRABEL: Actually, I think I'm going to  
21 waive my closing. It was a short hearing, and I couldn't  
22 improve upon what Mr. Bryner said yesterday. But I would  
23 like to thank the committee for both rescheduling the  
24 hearing to today -- to the Arizona Corporation Commission  
25 and for your time. Thank you.

1 CHMN STAFFORD: Now, Member Fontes, did you  
2 have any outstanding questions or did we cover all of  
3 those? That was the only thing that I thought might be  
4 outstanding.

5 MEMBER FONTES: Negative, Mr. Chairman.  
6 I'm good. Thank you.

7 CHMN STAFFORD: All right. Excellent.  
8 All right. Well, then, we're prepared to  
9 start voting on the Certificate. If we could get  
10 Chairman's 1 -- Chairman's 2 up on the screen so we can  
11 see it as we make the changes.

12 And, Members, you have the Word -- not the  
13 Word, the PDF version on your tablets.

14 MEMBER LITTLE: Mr. Chairman?

15 CHMN STAFFORD: Yes, Member Little.

16 MEMBER LITTLE: Before we begin, I'd just  
17 like to make a statement for the record, if I may.

18 CHMN STAFFORD: Please.

19 MEMBER LITTLE: I, as is known by this  
20 committee and anybody who has followed our proceedings  
21 recently, am not in favor of holding hearings that are  
22 not in the area, the geographical area where the project  
23 is going to be built. I feel like it's important, for  
24 many reasons, to -- to do that. I was very dis- --  
25 extremely disappointed that this hearing was rescheduled



1 and relocated. The rescheduling, of course, that was  
2 fine, but the relocation I was not pleased with. I  
3 realize that particularly, you know, for many hearings,  
4 including this one, we really -- there really probably  
5 would not have been much, if any, public comment, people  
6 showing up in person; however, I really feel it's  
7 important that the applicants give the public the  
8 opportunity to come.

9 I realize there are other options, but  
10 they're more difficult, particularly for people who are  
11 not -- you know, navigating downtown Phoenix is tough for  
12 those of us that don't do it every day. And navigating  
13 the Internet and all of that is tough. And the docket is  
14 impossible, unless you're very familiar with it. So  
15 I'm -- I would like to express my displeasure at that.

16 In addition, I feel like when we hold them  
17 there at the Commission, some of what otherwise might be  
18 presented is abbreviated, particularly, we did not  
19 talk -- we spoke very little about the biological  
20 aspects -- impacts of this project. I would have liked  
21 to have heard the -- the applicant say that -- talk about  
22 the mitigation measures that they are -- or have  
23 expressed a willingness to abide by.

24 And that said, I do believe that the  
25 applicant did a good job in presenting the rest of

1 the -- of the information, and -- and I do appreciate  
2 that.

3 CHMN STAFFORD: Thank you, Member Little.

4 MEMBER LITTLE: Thank you.

5 CHMN STAFFORD: Would you like to ask the  
6 applicant any questions about the application,  
7 specifically?

8 MEMBER LITTLE: I think when we get to the  
9 condition that deals with the mitigation -- well, I guess  
10 maybe the -- you know, reading through Section C-2 of the  
11 application, which is referenced in -- as one of the  
12 conditions of the proposed CEC, the mitigation measures  
13 are all over the place. There's not just one place where  
14 they're specified.

15 And I'm assuming that they are agreeing to  
16 every place that it says, you know, preconstruction  
17 surveys and that kind of thing. I also didn't see in  
18 there that the standard mitigation measures of truck  
19 washing and construction employees, briefings, and those  
20 kinds of things. So perhaps they can address the  
21 mitigation measures just briefly before we get started.

22 CHMN STAFFORD: All right. Thank you,  
23 Member Little.

24 Ms. Grabel.

25 MS. GRABEL: Yes, Mr. Chairman.

1 CHMN STAFFORD: Would you guys like to ask  
2 Mr. Bryner to --

3 I guess you're still under oath, so we can  
4 bring you back here, Mr. Bryner. You heard Member  
5 Little's questions?

6 MR. BRYNER: Yes, I heard her questions.  
7 And I'm prepared to answer.

8 CHMN STAFFORD: Thank you, please proceed.

9 MEMBER FONTES: Mr. Chairman?

10 CHMN STAFFORD: Yes, Member Fontes.

11 MEMBER FONTES: Yeah, so I had the same  
12 thoughts, Member Little, as you. And then I noted and  
13 recalled that they have to do the systems impact study  
14 and that is going to be subject to NEPA. And NEPA is  
15 going to cover a lot of the mitigation measures, a little  
16 bit of overlap, of course, CEC and NEPA are not the same.  
17 But as you get into it, Mr. Bryner, could you point that  
18 out on how the mitigation measures you plan to implement  
19 are going to impact not only the substation, but also the  
20 tie line, because I think that's what Member Little is  
21 getting at. I hope that helps.

22 CHMN STAFFORD: Thank you, Member Fontes.  
23 Mr. Bryner.

24 MR. BRYNER: Appears, though, the  
25 mitigation measures -- and while they are in Exhibit C-2,

1 which is our biological evaluation, I agree with Member  
2 Little, they are a little bit all over the place, and  
3 maybe it would be appropriate -- or more appropriate for  
4 us to point them out in Exhibit C. Because that -- that  
5 would be the easiest place to see them, they're in the  
6 conclusion, Section C-4, C.4 of Exhibit C.

7 And they're very simple and succinct. It  
8 says, "Although impacts to sensitive species are not  
9 anticipated, conducting preconstruction surveys,  
10 adjusting construction timing, and/or modifying poor  
11 placement or configuration could help avoid any potential  
12 conflicts."

13 So they're a little more detailed in the  
14 biological evaluation of what we mean by those, each of  
15 those, but that is what we're committing to do. And that  
16 would be for both the substation construction, expansion,  
17 as well as the tie line construction. As far as -- so  
18 hopefully that answers Member Fontes's question as well.

19 Additional mitigation, some of the things  
20 that Member Little pointed out, those are typical  
21 construction practices. A lot of times those are tied to  
22 other permits, whether it's a -- a -- my brain -- a dust  
23 control permit or a lot of the times on -- on -- if  
24 you're working on federal land, they'll have requirements  
25 such as that to avoid the spread of noxious weeds, things

1 like that.

2 In this case, we're all on private land.  
3 The County may have some requirements that we would need  
4 to do, but there's nothing that we're aware of at this  
5 time.

6 CHMN STAFFORD: All right. Well,  
7 typically, what we do when we get to, I think it's  
8 Condition 5, we've added, like, the page numbers,  
9 specifically, of the exhibit that referenced the  
10 mitigation measures that you're going to follow. So I  
11 think if you could scope that out and be prepared to tell  
12 us what that -- what those pages are when we get to  
13 Condition 5, I think that would cover it.

14 Member Little, does that -- would that be  
15 sufficient?

16 MEMBER LITTLE: Yeah, I think  
17 that's -- yeah, I would have liked to have seen more  
18 extensive mitigation measures, but I think that will  
19 suffice. And I can't find it. I'm not sure exactly, you  
20 know, Exhibit C-2, are you talk -- when you said C-3 or  
21 C-4, I'm -- I'm lost.

22 MR. BRYNER: So if you look in Exhibit C,  
23 on -- it's page 101 of the full PDF or of the full  
24 application, page 7 of Exhibit C, but page 101 of the  
25 full PDF, that's where I just read.

1 MEMBER LITTLE: Ah, okay. Thank you.

2 Thank you. I did find it. I didn't go back far enough.

3 Thank you, Mr. -- Mr. Bryner.

4 MR. BRYNER: You're welcome.

5 CHMN STAFFORD: Say that again, Mr. Bryner.

6 MR. BRYNER: Page 101 of the application,  
7 if you look in the very bottom, there's kind of a page  
8 number for each exhibit, but then there's a sequential  
9 page from beginning to end, and it's page 101, down in  
10 the very bottom right, or bottom -- yeah, it's bottom  
11 right of each page.

12 CHMN STAFFORD: Okay. All right. I'm  
13 looking at my application, Exh- -- on page 101, I'm not  
14 seeing mitigation measures.

15 MR. BRYNER: It's under the section "C.4,  
16 Conclusion," the very last paragraph.

17 CHMN STAFFORD: Oh, just that -- I thought  
18 it was -- typically, it's like a list of things --  
19 measures you do, is it just that one paragraph?

20 MR. BRYNER: It's very small. Again, as I  
21 pointed out in my testimony, the reason -- and the reason  
22 why we didn't spend a lot of time discussing biological  
23 concerns is because there are not a lot.

24 MEMBER RICHINS: Chairman?

25 CHMN STAFFORD: Yes.

1 MEMBER RICHINS: Having been to that  
2 location multiple times, I can confirm that. You know, I  
3 know we didn't get a chance to do a tour; I've spent a  
4 lot of time -- I used to rehab houses up in that area,  
5 and it is very devoid of plant life and it's very  
6 scattered scrub desert. I don't know that I've ever seen  
7 any critters out there at all. But I can confirm, from  
8 personal experience, that it's very devoid of very many  
9 biological resources.

10 MR. BRYNER: Thank you.

11 MEMBER LITTLE: Thank you both.

12 CHMN STAFFORD: All right. Member Little,  
13 that paragraph on page 101 of the application, Exhibit  
14 C --

15 MEMBER LITTLE: Yes, I found it.

16 CHMN STAFFORD: Okay.

17 MEMBER LITTLE: I actually have a clip on  
18 it, that page.

19 CHMN STAFFORD: So reference to that will  
20 be sufficient?

21 MEMBER LITTLE: I believe so. I had  
22 clipped a couple of other pages -- on page 113 of the  
23 application, it talks about evaporation ponds. Oh, I  
24 guess the -- the Griffith Power Plant evaporation pond.  
25 Never mind, I just reviewed it. And I don't have a

1 problem with that. There's one other page, I believe it  
2 was about the tortoises.

3 Okay. I'm happy. Thank you very much for  
4 your patience.

5 CHMN STAFFORD: All right. So to confirm,  
6 you just want to -- when we get to that section, you just  
7 want to reference the page of the application? It's such  
8 a short --

9 MEMBER LITTLE: Yeah.

10 CHMN STAFFORD: -- instead of it being a  
11 list, it's just that paragraph, you can even just put --  
12 incorporate that paragraph into the Condition, if you  
13 wanted.

14 MEMBER LITTLE: I'm happy with -- I think  
15 to remain consistent with other CECs, which I know  
16 applicants like to do, I'm fine with just putting the  
17 page number in there. Just add, you know, amending that  
18 condition to include the page number.

19 CHMN STAFFORD: Thank you. Thank you,  
20 Member Little.

21 All right. Well, do we have any other  
22 questions before we get a motion to adopt the  
23 Introduction?

24 (No response.)

25 MEMBER KRYDER: Mr. Chairman?



1 CHMN STAFFORD: Yes, Member Kryder.

2 MEMBER KRYDER: I move adoption of the  
3 Introduction.

4 MEMBER MERCER: Second.

5 CHMN STAFFORD: Further discussion?

6 Of course, we'll have to fill in the vote  
7 count at the conclusion.

8 But all in favor say aye.

9 (A chorus of "ayes.")

10 CHMN STAFFORD: Opposed?

11 (No response.)

12 CHMN STAFFORD: Hearing none, the  
13 Introduction is adopted.

14 Moving on to the Project Description.

15 MEMBER GOLD: Mr. Chairman, I move adoption  
16 of the Project Description.

17 MEMBER MERCER: Mr. Chairman?

18 CHMN STAFFORD: Yes, Member Mercer.

19 MEMBER MERCER: I never heard the closing  
20 arguments.

21 CHMN STAFFORD: She waived it.

22 MEMBER MERCER: Oh, she waived it? I'm  
23 sorry. I was spaced out, I guess.

24 MEMBER KRYDER: I second.

25 CHMN STAFFORD: Thank you.

1 Further discussion?

2 MEMBER FRENCH: Mr. Chairman?

3 CHMN STAFFORD: Yes, Member French.

4 MEMBER FRENCH: Seeing that we're only  
5 approving the preferred route, is it necessary to include  
6 the alternative route in the Project Description?

7 CHMN STAFFORD: Yeah, I think we include  
8 that because that was part of the application; however,  
9 when we get to Exhibit A, we'll only include Exhibit A  
10 for the preferred route.

11 Of course, I wanted to talk about that  
12 before we -- because we've moved and seconded, it's now  
13 time for discussion. I think that, you know, the  
14 applicant had talked about the preferred route was what  
15 they're wanting to have. And when they had -- when they  
16 filed their draft CEC, they had two alternate Exhibit As,  
17 one for the preferred route and one for the alternate  
18 route, so I inferred from that that they don't want  
19 approval of both, they wanted approval of one to build.

20 Is that -- is my interpretation of the  
21 applicant's intent correct?

22 MS. GRABEL: I'm sorry, Mr. Chairman, I was  
23 talking to Ms. Hill about something else. What did you  
24 ask?

25 CHMN STAFFORD: You want -- you just want

1 approval of one of the routes, you don't need approval of  
2 both? You want to get the preferred route approved,  
3 correct?

4 MS. GRABEL: That's correct, yes,  
5 Mr. Chairman.

6 CHMN STAFFORD: Okay. So that's what  
7 the -- that's what the Chairman's 1 does.

8 MS. GRABEL: Okay.

9 CHMN STAFFORD: Now, you wanted  
10 double-circuit capable, but not double-circuit line,  
11 correct?

12 MS. GRABEL: That is correct.

13 CHMN STAFFORD: Did you review the Project  
14 Description, is that --

15 MS. GRABEL: I review- -- we did. That's  
16 actually what I was focusing on. Exactly. I'm perfectly  
17 fine with the double-circuit capable. What Ms. Hill and  
18 I were conferring about was the description of the  
19 expansion project, the characterization of it. Just  
20 given the pending litigation, we don't want to  
21 characterize it in any way that --

22 CHMN STAFFORD: I didn't call it a plant.

23 MS. GRABEL: I think you're fine with the  
24 characterization that we have here.

25 CHMN STAFFORD: Okay, yeah. And,

1 typically, we do include the nonjurisdictional generator  
2 that the gen-tie is going to attach to. And for ease of  
3 future reference, I like to include it in the Project  
4 Description, so when we go back, we can see what the  
5 point of the line was very clearly.

6 MEMBER LITTLE: Mr. Chairman?

7 CHMN STAFFORD: Yes, Member Little.

8 MEMBER LITTLE: I -- I agree with Member  
9 French. I'm not sure we need to include the alternative  
10 route. I mean, for example, the TEP CEC that had however  
11 many zillion alternatives, combinations, we just included  
12 the final one in the description, didn't we?

13 CHMN STAFFORD: I thought the initial  
14 description included everything and then we narrowed it  
15 down and said what we approved out of what was proposed.  
16 I seem to recall we did the same thing with the SRP line,  
17 but then we had -- instead of using their nomenclature A,  
18 B, or D, or S-1, 2, 3, we just went with the noes,  
19 because otherwise it was just too complicated to follow.  
20 I think we show --

21 MEMBER LITTLE: Okay. We're good.

22 CHMN STAFFORD: I think we want to show  
23 what -- you know, this describes the project and then as  
24 you -- when we move on to the Conditions, you can see  
25 that the authorization is this for the project on the

1 preferred route. And then when we get to Exhibit A --

2 MEMBER LITTLE: Okay.

3 CHMN STAFFORD: -- we'll only have the  
4 exhibit that shows -- we won't show the route for the  
5 alternative route in Exhibit A. We'll just show the  
6 approved route. But we referenced it, I think, here,  
7 just because that's what was in the application. And it  
8 shows that we looked at more than just one -- one route.

9 MEMBER LITTLE: Okay.

10 MS. GRABEL: And, Mr. Chairman, I do see in  
11 Condition 1, you do clarify that the authorization is  
12 only for the preferred route, so I agree.

13 MEMBER LITTLE: Okay.

14 CHMN STAFFORD: And so, according to the  
15 CEC -- now, I think you have -- do you have both single-  
16 and double-type -- double-circuit structures in Exhibit  
17 G?

18 MS. GRABEL: I believe we do, yes.

19 Is that correct, Mr. Bryner?

20 MR. BRYNER: Exhibit G includes the  
21 double-circuit-capable structures, but illustrated it  
22 with a single circuit.

23 CHMN STAFFORD: Okay. All right. So make  
24 sure we're all on the same page. The Certificate, as  
25 written, would approve you to build a single circuit on

1 double-circuit-capable structures. And then to add the  
2 second circuit, you'd have to get an amendment from the  
3 Commission to add the second circuit. But that would  
4 just be through a 240-252 proceeding, and not another  
5 line siting application.

6 MS. GRABEL: That is correct, Mr. Chairman.

7 CHMN STAFFORD: Okay. Just making sure  
8 we're all on the same page.

9 And then we had the final right-of-way,  
10 regardless of which route was approved, would be  
11 125 feet, correct?

12 MS. GRABEL: Correct.

13 CHMN STAFFORD: And a 500-foot corridor.

14 The Project Description has been moved and  
15 seconded. Further discussion?

16 (No response.)

17 CHMN STAFFORD: All in favor say aye.

18 (A chorus of "ayes.")

19 CHMN STAFFORD: Opposed?

20 (No response.)

21 CHMN STAFFORD: Hearing none, the Project  
22 Description is adopted.

23 Moving on to Conditions.

24 MEMBER KRYDER: Mr. Chairman?

25 CHMN STAFFORD: Yes, Member Kryder.

1 MEMBER KRYDER: I move approval of  
2 Condition Number 1.

3 MEMBER MERCER: Second.

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

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

8 CHMN STAFFORD: Opposed?  
9 (No response.)

10 CHMN STAFFORD: Hearing none, Condition 1  
11 is adopted.

12 Number 2.

13 MEMBER LITTLE: Mr. Chairman, I move  
14 approval of Condition 2.

15 MEMBER GOLD: Second.

16 CHMN STAFFORD: Further discussion?  
17 (No response.)

18 CHMN STAFFORD: All in favor say aye.  
19 (A chorus of "ayes.")

20 CHMN STAFFORD: Opposed?  
21 (No response.)

22 CHMN STAFFORD: Hearing none, Condition 2  
23 is adopted.

24 Number 3.

25 MEMBER GOLD: Mr. Chairman, I move

1 Condition 3 be adopted.

2 MEMBER MERCER: Second.

3 CHMN STAFFORD: Further discussion?

4 Point out that the applicant removed ADOT  
5 from this, because ADOT is an agency or a subdivision of  
6 the State of Arizona. So you did this last week, you  
7 pointed out that that's redundant, so I just took it out.  
8 But we'll leave it in in reference to notifications and  
9 subsequent Conditions. It's only redundant for the  
10 compliance ones.

11 MS. GRABEL: Understood.

12 CHMN STAFFORD: Condition 3 has been moved  
13 and seconded.

14 All in favor say aye.

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, Condition 3  
19 is adopted.

20 Number 4.

21 MEMBER MERCER: Mr. Chairman, I move  
22 Condition 4.

23 MEMBER GOLD: Second.

24 CHMN STAFFORD: Further discussion?

25 (No response.)



1 CHMN STAFFORD: All in favor say aye.

2 (A chorus of "ayes.")

3 CHMN STAFFORD: Opposed?

4 (No response.)

5 CHMN STAFFORD: Hearing none, Condition 4  
6 is adopted.

7 Number 5.

8 MEMBER LITTLE: Mr. Chairman, I move  
9 Condition 5.

10 MEMBER GOLD: Second.

11 CHMN STAFFORD: Further discussion?

12 I believe this is where we're going to  
13 enter a page number.

14 MEMBER LITTLE: Mr. Chairman, I move that  
15 we, on page -- or on line 25 of page 5, we insert "comma  
16 page 101 of the application."

17 CHMN STAFFORD: Are you look -- which  
18 exhibit are you looking at, Chairman's 1, or what's on  
19 the screen in front of you?

20 MEMBER LITTLE: Uh, ba-ba-ba-ba-ba. It's  
21 the Word version.

22 CHMN STAFFORD: Okay. You need to look at  
23 the PDF, because --

24 MEMBER LITTLE: Okay.

25 CHMN STAFFORD: -- that one's not moving

1 around.

2 MEMBER LITTLE: Okay.

3 CHMN STAFFORD: So I think you want to be  
4 on page 6, line 1 or 2.

5 MEMBER LITTLE: Okay. Would somebody else  
6 like to move that, since I am downloading it and trying  
7 to figure out how to get it up here?

8 MEMBER GOLD: Mr. Chairman, I so move.

9 MEMBER MERCER: Second.

10 CHMN STAFFORD: All right. So the motion  
11 would be to add -- should we reference the page number  
12 from the application or the page number for the exhibit  
13 to the application?

14 MS. GRABEL: We're thinking the page number  
15 for the exhibit, so it would be "The mitigation measures  
16 in Exhibit C, page 101."

17 CHMN STAFFORD: And that's C -- it's C, not  
18 C-2?

19 MS. GRABEL: It's not C-2, it's C. And  
20 scratch the "biological evaluation."

21 CHMN STAFFORD: So what we're looking at  
22 here, the amendment would be to amend page 6, line 1 of  
23 Chairman 1 to read: "Applicant commits to the following  
24 mitigation measures in Exhibit C, page 7, of the  
25 application" --

1 MS. GRABEL: Yes.

2 CHMN STAFFORD: -- "as applicable and  
3 feasible."

4 MEMBER LITTLE: Yes. Thank you.

5 CHMN STAFFORD: The amendment has been  
6 moved and seconded.

7 Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.

10 (A chorus of "ayes.")

11 MEMBER KRYDER: Mr. Chairman, I move --

12 CHMN STAFFORD: Opposed?

13 (No response.)

14 CHMN STAFFORD: Hearing none, the amendment  
15 to Condition 5 passes.

16 Member Kryder.

17 MEMBER KRYDER: I move approval of the  
18 now-amended Condition 5.

19 MS. GRABEL: Chairman Stafford, before we  
20 do that --

21 MEMBER GOLD: Second.

22 MS. GRABEL: -- it says, "page 7 of the  
23 application," but it's page 101 of the application. It's  
24 page 7 of the exhibit.

25 CHMN STAFFORD: Right. But I thought there

1 was -- it was going to be the mitigation measures on  
2 page 7 of Exhibit C for the application.

3 MS. GRABEL: Okay. I understand. We'll  
4 change it.

5 CHMN STAFFORD: Or we can even add, in  
6 parentheses, "page 101 of the application."

7 MS. GRABEL: I think it's clear as-is.  
8 Thank you.

9 MEMBER KRYDER: Okay. We better change  
10 that, then.

11 CHMN STAFFORD: Yes, we had a -- we had a  
12 motion on the floor, was that yours, Member -- do you  
13 want to withdraw your motion?

14 MEMBER KRYDER: Yes, Mr. Chairman, I wish  
15 to withdraw my resolution motion, yes.

16 CHMN STAFFORD: All right. So can we get a  
17 motion to amend it again?

18 MEMBER GOLD: I move to amend it again,  
19 Mr. Chairman.

20 CHMN STAFFORD: All right. Can you use --

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: That was a second, Member  
23 Mercer?

24 MEMBER MERCER: Yes. Second.

25 CHMN STAFFORD: So now it would read: "The

1 applicant commits to follow the mitigation measures on  
2 page 7 of Exhibit C of the application, as applicable and  
3 feasible."

4 That has been moved and seconded.

5 Further discussion?

6 (No response.)

7 CHMN STAFFORD: All in favor say aye.

8 (A chorus of "ayes.")

9 CHMN STAFFORD: Opposed?

10 (No response.)

11 CHMN STAFFORD: Hearing none, that  
12 amendment is adopted.

13 Member Kryder.

14 MEMBER KRYDER: And, Mr. Chairman, I move  
15 approval of the now-amended Condition 5.

16 MEMBER MERCER: Second.

17 CHMN STAFFORD: Further discussion?

18 (No response.)

19 CHMN STAFFORD: All in favor say aye.

20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?

22 (No response.)

23 CHMN STAFFORD: Hearing none, Condition 5,  
24 as amended, is adopted.

25 Number 6.

1 MEMBER KRYDER: Mr. Chairman, I move  
2 approval of Condition 6.

3 MEMBER GOLD: Second.

4 CHMN STAFFORD: Further discussion?

5 (No response.)

6 CHMN STAFFORD: All in favor say aye.

7 (A chorus of "ayes.")

8 CHMN STAFFORD: Opposed?

9 (No response.)

10 CHMN STAFFORD: Hearing none, Condition 6  
11 is adopted.

12 Number 7.

13 MEMBER GOLD: Mr. Chairman, I move  
14 Condition 7 be adopted.

15 MEMBER MERCER: Second.

16 CHMN STAFFORD: Further discussion?

17 (No response.)

18 CHMN STAFFORD: All in favor say aye.

19 (A chorus of "ayes.")

20 CHMN STAFFORD: Opposed?

21 (No response.)

22 CHMN STAFFORD: Hearing none, Condition 7  
23 is adopted.

24 Number 8.

25 MEMBER MERCER: Mr. Chairman, I move

1 Condition 8.

2 MEMBER GOLD: Second.

3 CHMN STAFFORD: Further discussion?

4 (No response.)

5 CHMN STAFFORD: All in favor say aye.

6 (A chorus of "ayes.")

7 CHMN STAFFORD: Opposed?

8 (No response.)

9 CHMN STAFFORD: Hearing none, Condition 8  
10 is adopted.

11 Number 9.

12 MEMBER KRYDER: Mr. Chairman, I move  
13 approval of Condition 9.

14 MEMBER MERCER: Second.

15 CHMN STAFFORD: Further discussion?

16 Ms. Grabel, this was the one you mentioned  
17 yesterday that you added in response to the Colorado  
18 River Indian Tribes, correct?

19 MS. GRABEL: Yes, Mr. Chairman, that's  
20 correct.

21 CHMN STAFFORD: Condition 9 has been moved  
22 and seconded.

23 All in favor say aye.

24 (A chorus of "ayes.")

25 MEMBER LITTLE: Mr. Chairman?

1 CHMN STAFFORD: Opposed?

2 (No response.)

3 CHMN STAFFORD: Hearing none, Condition 9  
4 is adopted.

5 MEMBER LITTLE: Mr. Chairman?

6 CHMN STAFFORD: Yes, Member Little.

7 MEMBER LITTLE: I am wondering, I don't see  
8 anywhere in those three conditions having to do with  
9 archaeological stuff, but a commitment to complete the  
10 Class III survey that was recommended in the areas that  
11 had not been previously surveyed.

12 CHMN STAFFORD: Right. But my  
13 understanding is that Condition 7 would require that.

14 Is that the applicant's understanding as  
15 well?

16 MR. BRYNER: So I know Condition 7 says  
17 that we will consult with -- I can't remember the exact  
18 word, whether it says "consult" or "coordinate," I know  
19 that was a subject of discussion, but it says that we'll  
20 work with SHPO, and that we'll -- we won't move forward  
21 with the project until -- until they've had the  
22 opportunity to review those things.

23 And so I know we've already been in  
24 coordination with -- with the SHPO, and they provided  
25 comments, one of which has been that we should do a Class



1 III survey in the areas that have not had that  
2 beforehand.

3 CHMN STAFFORD: Now, will that be for the  
4 entire right-of-way -- for the entire corridor or just  
5 the right-of-way?

6 MR. BRYNER: Just the right-of-way.

7 CHMN STAFFORD: Okay. So, yes, that was my  
8 understanding that 7 -- Condition 7 with SHPO is going to  
9 require a Class III survey for the final right-of-way,  
10 and that's what the applicant's going to do, correct?

11 MR. BRYNER: Correct.

12 CHMN STAFFORD: Okay.

13 MEMBER LITTLE: And legally that's covered  
14 by the language that's in there, Mr. Chairman?

15 CHMN STAFFORD: That is SHPO's position,  
16 based on the first sentence of Condition 7.

17 Now, we had an interesting discussion about  
18 this at our last hearing and we will be scheduling a  
19 meeting of the committee to address the issues that were  
20 raised by Mr. Acken in that prior case; however, in his  
21 matter, it was moot, because the entire project was on  
22 State Trust Land. So I'd invite counsel to attend that  
23 when it gets set and noticed.

24 MS. GRABEL: Thank you. I will.

25 MEMBER LITTLE: Thank you.

1 CHMN STAFFORD: All right. We voted  
2 Condition 9, yes, and it was adopted? That's right,  
3 because we had a motion on the floor when Member Little  
4 had her question, so we had to finish that and then she  
5 asked her question.

6 So now we're on to Condition 10.

7 MEMBER KRYDER: Mr. Chairman I move --

8 MEMBER LITTLE: Mr. Chairman, I move  
9 Condition 10.

10 MEMBER KRYDER: And I second.

11 CHMN STAFFORD: Further discussion?

12 (No response.)

13 CHMN STAFFORD: All in favor say aye.

14 (A chorus of "ayes.")

15 CHMN STAFFORD: Opposed?

16 (No response.)

17 CHMN STAFFORD: Hearing none, Condition 10  
18 is adopted.

19 Number 11.

20 MEMBER MERCER: Mr. Chairman, I move  
21 Condition 11.

22 MEMBER GOLD: Second.

23 CHMN STAFFORD: Further discussion?

24 (No response.)

25 CHMN STAFFORD: All in favor say aye.

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, Condition 11  
5 is adopted.

6 Number 12.

7 MEMBER GOLD: Mr. Chairman, I move  
8 Condition 12 be adopted.

9 MEMBER MERCER: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 12  
17 is adopted.

18 Number 13.

19 MEMBER KRYDER: Mr. Chairman, I move  
20 approval of Condition 13.

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?  
2 (No response.)  
3 CHMN STAFFORD: Hearing none, Condition 13  
4 is adopted.  
5 Number 14.  
6 MEMBER LITTLE: Mr. Chairman, I move  
7 Condition 14.  
8 MEMBER GOLD: Second.  
9 CHMN STAFFORD: Further discussion?  
10 (No response.)  
11 CHMN STAFFORD: All in favor say aye.  
12 (A chorus of "ayes.")  
13 CHMN STAFFORD: Opposed?  
14 (No response.)  
15 CHMN STAFFORD: Hearing none, Condition 14  
16 is adopted.  
17 Number 15.  
18 MEMBER GOLD: Mr. Chairman, I move  
19 Condition 15 be adopted.  
20 MEMBER KRYDER: Second.  
21 CHMN STAFFORD: Further discussion?  
22 (No response.)  
23 CHMN STAFFORD: All in favor say aye.  
24 (A chorus of "ayes.")  
25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Condition 15  
3 is adopted.

4 Number 16.

5 MEMBER MERCER: Mr. Chairman, I move  
6 Condition 16.

7 MEMBER KRYDER: Second.

8 CHMN STAFFORD: Further discussion?

9 Member Little, I believe this would address  
10 concerns about spreading noxious weeds.

11 MEMBER LITTLE: Yes.

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 16  
17 is adopted.

18 Number 17.

19 MEMBER LITTLE: Mr. Chairman, I move  
20 Condition 17.

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?

2 (No response.)

3 CHMN STAFFORD: Hearing none, Condition 17  
4 is adopted.

5 Number 18.

6 MEMBER GOLD: Mr. Chairman, I move  
7 Condition 18 be adopted.

8 MEMBER KRYDER: Second.

9 CHMN STAFFORD: Further discussion?  
10 (No response.)

11 CHMN STAFFORD: All in favor say aye.  
12 (A chorus of "ayes.")

13 CHMN STAFFORD: Opposed?  
14 (No response.)

15 MEMBER LITTLE: Mr. Chairman?

16 CHMN STAFFORD: Opposed?  
17 (No response.)

18 CHMN STAFFORD: Hearing none, Condition 18  
19 is adopted.

20 Yes, Member Little.

21 MEMBER LITTLE: I'm curious about whether  
22 we should add a condition requiring the applicant to  
23 provide the completed System Impact Studies from WAPA. I  
24 sort of had the feeling, from reading the Staff letter,  
25 that they expect that.

1 CHMN STAFFORD: Ms. Grabel.

2 MS. GRABEL: Yes, Mr. Chairman, we've  
3 already agreed with Staff that we will provide them under  
4 the confidentiality agreement when we have them. And so  
5 we're fine to commit to that.

6 CHMN STAFFORD: All right. Would you like  
7 to -- here's what I suggest, Member Little, let's go  
8 through the rest of the Conditions as they're currently  
9 numbered, and then come back and insert one; otherwise,  
10 we'll have -- it will just be easier, I think, for the --  
11 going through and tracking the numbers of the Conditions.

12 MEMBER LITTLE: That's fine. Thank you.

13 CHMN STAFFORD: And I think -- I'm trying  
14 to remember what Certificate it was where we had that  
15 language that said they will -- to add that Condition  
16 that said the applicant would provide the System Impact  
17 Study to Staff.

18 Do you recall which one it was?

19 MEMBER LITTLE: No.

20 CHMN STAFFORD: All right. What's -- let's  
21 go finish -- let's finish voting the Conditions, as they  
22 are now. And then we'll find that and we can add that  
23 in. Do you want to add it in as a new --

24 MEMBER LITTLE: Yes.

25 CHMN STAFFORD: Like 21 --

1 MEMBER LITTLE: Yeah.

2 CHMN STAFFORD: -- or 22 -- I guess we  
3 could add it either place. Okay.

4 MEMBER LITTLE: Well, I -- yeah. Yeah, 20,  
5 I think, would be good.

6 CHMN STAFFORD: Okay. Member Fontes.

7 MEMBER FONTES: Along those lines, question  
8 for the applicant: Are you normally providing a NEPA  
9 either FONSI or Record of Decision to the ACC Staff,  
10 along with the systems impact study? I think that would  
11 be something that we'd like to request that goes along  
12 with Member Little's observations on mitigation measures  
13 on the environmental.

14 MR. BRYNER: So we don't know what will be  
15 required from the NEPA standpoint at this time. We'd be  
16 happy to provide whatever compliance -- whatever  
17 environmental compliance document is required --

18 MEMBER FONTES: Correct.

19 MR. BRYNER: -- through that  
20 interconnection.

21 MEMBER FONTES: So we could add language to  
22 whatever compliance for NEPA that WAPA requires with the  
23 systems impact study as a Condition or you can come up  
24 with words along that line.

25 MR. BRYNER: That would be fine. I know on



1 other CECs that we've had that have had a federal  
2 component with the NEPA, that's been something that has  
3 been requested.

4 MEMBER FONTES: Thank you. That would be  
5 very useful, I think, in this case.

6 MEMBER LITTLE: Yeah.

7 CHMN STAFFORD: Okay. All right. Well,  
8 let's see, can I get a motion to adopt Condition 19?

9 MEMBER MERCER: Mr. Chairman, I move  
10 Condition 19.

11 MEMBER KRYDER: Second.

12 CHMN STAFFORD: Further discussion?

13 (No response.)

14 CHMN STAFFORD: All in favor say aye.

15 MEMBER FRENCH: Mr. Chairman?

16 CHMN STAFFORD: Oh, wait. Member French.

17 MEMBER FRENCH: For Condition 19, we heard  
18 testimony about some natural gas lines in the area, and  
19 just for clarification for me, Condition 19 says, "Any  
20 existing natural gas pipeline," and it -- through the  
21 testimony it just -- it seemed to me that it was only  
22 large gas transmission lines that were a problem. Are  
23 distribution lines included in this?

24 CHMN STAFFORD: Yeah, I would think so. It  
25 says, "Any natural gas or hazardous pipeline."

1 MR. BRYNER: I would say that's a good  
2 question. We've interpreted that to be, typically,  
3 larger gas transmission lines that are with metal pipe.  
4 So they have the ability to carry an electrical charge.  
5 And so when you have lines located adjacent to those,  
6 then there's the potential to -- I don't know the  
7 technical terms -- but cause those pipes to corrode, and  
8 then you have an issue.

9 And so in those cases, then, you have to do  
10 something to protect the pipe so that you're not inducing  
11 a voltage on that, causing excess corrosion. And that's  
12 the purpose of the studies. You don't typically have  
13 those on distribution lines that are going to be made and  
14 put in plastic pipe.

15 CHMN STAFFORD: Right. So it seems like,  
16 you know, because you can't ensure grounding and  
17 protection if it were plastic, it's a metal pipe issue.

18 MR. BRYNER: Correct. And it's a  
19 corrosion -- a corrosion issue caused by that induced  
20 voltage.

21 CHMN STAFFORD: All right. Okay. Well, in  
22 that light, I think this Condition is only relevant for  
23 metal pipe.

24 MR. BRYNER: That's the way I would  
25 interpret it.

1 MEMBER GOLD: Mr. Chairman?

2 MEMBER LITTLE: As I --

3 CHMN STAFFORD: Member Gold.

4 MEMBER GOLD: I'm not familiar with any gas  
5 lines that are plastic. All gas lines that I've ever  
6 come across are black or, at the very least galvanized,  
7 but mostly just black. Black iron. What plastic are you  
8 referring to? I mean, not that it's relevant, but just  
9 out of curiosity's sake.

10 MR. BRYNER: I'm not a gas line expert,  
11 so --

12 MEMBER FONTES: Mr. Chairman?

13 CHMN STAFFORD: Yes, Member Fontes.

14 MEMBER FONTES: When we looked at the  
15 project with Arizona Public Service out towards the south  
16 of I-10, and I can't recall the case or the project, we  
17 discussed this issue. And I guess what I'd like to do is  
18 to know if this is the main feeder for the gas supply for  
19 the current project and the planned project, because we  
20 just wanted to identify it as a linear crossing of the  
21 transmission line.

22 And while I think the testimony was  
23 provided that UniSource owns both the gas and the  
24 transmission or the gen-tie here in this case, in other  
25 cases it doesn't. So we're just looking for consistency

1 to disclose that. And I think that might be helpful to  
2 Mr. Bryner, so we just get something in the record and we  
3 file that.

4 And so the first question is, is this the  
5 main feeder for the gas supply? And, then, second, is  
6 UniSource both the gas supply and the electrical?

7 MR. BRYNER: So to answer your first  
8 question, the main supply for the Black Mountain  
9 Generating Station does come in along Yucca -- Yucca  
10 Road, and then down Yuma Road. And so it would be  
11 adjacent to -- it would be adjacent to the preferred  
12 route, as it heads north out of the -- out of the plant.  
13 And, yes, UniSource does supply both gas and electric  
14 service to this area.

15 MEMBER FONTES: So I guess the request  
16 would be can we just have a permission document from one  
17 end of UniSource for the gas side that they give  
18 permission to the transmission side to have that crossing  
19 if it's applicable?

20 Do you see an issue with that?

21 MR. BRYNER: So we don't actually cross the  
22 gas line, we would run adjacent to it. So it's adjacent  
23 to our 69-kV tie line, if you'll recall, on the west side  
24 of the road. And we'd be planning to be located on the  
25 east side of -- of Yuma Road.

1 MEMBER FONTES: So it's a proximity issue  
2 rather than a crossing issue?

3 MR. BRYNER: Correct. It's a proximity.  
4 And, as you parallel those lines over a longer distance  
5 of time, then you induce more -- more charge on those  
6 pipelines.

7 MEMBER FONTES: We could ask for review of  
8 the safety and all of that, but I guess, to short-circuit  
9 that, could we propose language in here that just says,  
10 "The UniSource gas management line would give permission  
11 to the transmission line to look at the safety and/or  
12 environmental implications of that"? Would you be  
13 opposed to that, including such language?

14 CHMN STAFFORD: I'm -- I'm not sure why  
15 that's necessary, Member Fontes. Because what this  
16 Condition does is it requires them to do the studies to  
17 ensure that the transmission line won't have a  
18 detrimental effect on the gas pipeline.

19 MEMBER FONTES: Who does the studies?  
20 That's where I'm confused.

21 CHMN STAFFORD: The applicant.

22 MEMBER FONTES: The applicant? And they do  
23 them with review of their colleagues who are looking at  
24 the gas?

25 MR. BRYNER: So, I mean, this has been a

1 standard condition for -- I'm not sure how long. And so  
2 we've always hired out a third-party to do the studies.  
3 And we don't have any problem with the language, as  
4 written. Basically, if it's applicable, we'll do it. If  
5 it's not applicable, then it's sort of a moot point.

6 MEMBER LITTLE: Mr. Chairman?

7 CHMN STAFFORD: Yes, Member Little.

8 MEMBER LITTLE: That Condition was written  
9 by Steve Olea, when he was the chief engineer. That is  
10 his language verbatim. And he requested for years in the  
11 Staff letter this letter -- this Condition was put in  
12 there as a specific request. I -- I think that -- I  
13 guess I would be in favor of leaving the language the way  
14 it is.

15 CHMN STAFFORD: All right. Now,  
16 Mr. Bryner --

17 MEMBER LITTLE: Nine years ago.

18 CHMN STAFFORD: Yeah, thank -- thank you.

19 Mr. Bryner, so UniSource also has gas  
20 infrastructure in this area?

21 MR. BRYNER: Correct.

22 CHMN STAFFORD: Does UniSource Gas serve  
23 the plant itself?

24 MR. BRYNER: I don't know the way the  
25 contract works. But -- do you know -- I don't know -- I

1 don't know how the contract works.

2 CHMN STAFFORD: Perhaps Ms. Hill has  
3 insight or Ms. Grabel?

4 MS. GRABEL: What was your question,  
5 Mr. Staff -- Chairman?

6 CHMN STAFFORD: We're talking about is  
7 there gas lines in the vicinity, and that obviously  
8 there's a gas line that feeds the gas plant. I guess the  
9 issue was -- and you also have a gas utility that serves  
10 this area as well. So I think it's kind of like apples  
11 and oranges here. There's the lines -- the distribution  
12 lines that serve retail customers is going to be  
13 different than the gas line that serves the plant,  
14 correct?

15 MS. GRABEL: Well, I'm not going to agree  
16 to the term "plant," but yes, I think that there is a  
17 larger transmission line that serves the generating  
18 facility. I don't know what the distribution facility  
19 served. But I agree with Mr. Bryner that the language  
20 here is going to apply to any gas pipeline, whether it's  
21 a transmission pipeline or a distribution pipeline. And  
22 if there is a concern, do the study and do take whatever  
23 protective measures that are required as a result of that  
24 study.

25 But if they are polyethylene pipelines, as

1 Mr. Bryner referred to, then they probably won't require  
2 any additional protection, because they're made of  
3 plastic, as opposed to steel.

4 CHMN STAFFORD: Right. Because you  
5 can't -- how are you going to do a grounded cathodic  
6 protection study for plastic, if they're not metal?  
7 That's what the --

8 MS. GRABEL: Correct.

9 CHMN STAFFORD: Okay. So Condition 19 has  
10 been moved and seconded. Are we -- is there further  
11 discussion?

12 (No response.)

13 CHMN STAFFORD: All in favor say aye.

14 (A chorus of "ayes.")

15 CHMN STAFFORD: Opposed?

16 (No response.)

17 CHMN STAFFORD: Hearing none, Condition 19  
18 is adopted.

19 Condition 20.

20 MEMBER GOLD: Mr. Chairman, I move  
21 Condition 20 be adopted.

22 MEMBER MERCER: Second.

23 CHMN STAFFORD: Further discussion?

24 I'm looking to the applicant to confirm  
25 that those numbers are accurate, 125-foot-wide



1 right-of-way, and then the maximum height would be  
2 195 feet?

3 MR. BRYNER: Yes, that's correct.

4 CHMN STAFFORD: All right. Condition 20  
5 has been moved and seconded.

6 All in favor say aye.

7 (A chorus of "ayes.")

8 CHMN STAFFORD: Opposed?

9 (No response.)

10 CHMN STAFFORD: Hearing none, Condition 20  
11 is adopted.

12 Number 21.

13 MEMBER MERCER: Mr. Chairman, I move  
14 Condition 21.

15 MEMBER GOLD: Second.

16 CHMN STAFFORD: Further discussion?

17 I'm looking to the applicant.

18 December 1st, 2025, is the correct date for the first  
19 certification letter?

20 MS. GRABEL: We agree to that date.

21 CHMN STAFFORD: All right.

22 All in favor say aye.

23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Condition 21  
2 is adopted.

3 Number 22.

4 MEMBER KRYDER: Mr. Chairman, I move  
5 approval of Condition 22.

6 MEMBER GOLD: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.  
10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, Condition 22  
14 is adopted.

15 Number 23.

16 MEMBER GOLD: Mr. Chairman, I move  
17 Condition 23 be adopted.

18 MEMBER KRYDER: Second.

19 CHMN STAFFORD: Further discussion?

20 (No response.)

21 CHMN STAFFORD: All in favor say aye.  
22 (A chorus of "ayes.")

23 CHMN STAFFORD: Opposed?

24 (No response.)

25 CHMN STAFFORD: Hearing none, Condition 23

1 is adopted.

2 Number 24.

3 MEMBER MERCER: Mr. Chairman, I move  
4 Condition 24.

5 MEMBER KRYDER: Second.

6 CHMN STAFFORD: Further discussion?

7 MEMBER RICHINS: Yes.

8 CHMN STAFFORD: Yes, Member Richins.

9 MEMBER RICHINS: I -- Chairman, I was  
10 trying to remember if we explicitly called out Native  
11 American tribes in this instance, particularly since they  
12 have a specific mitigation that's called out for,  
13 particularly the Colorado River Indian Tribe, as a  
14 notification in that list as a sovereign government. So  
15 I think they rise above an "all parties" description into  
16 more of a government -- all other government departments  
17 are listed in that, so just -- I don't remember our  
18 practice, so --

19 CHMN STAFFORD: We can add that. I mean,  
20 they wouldn't fall under parties because they're not a  
21 party to the matter, but we can certainly add Colorado  
22 River Indian Tribes to that list of who we notify.

23 MEMBER RICHINS: Notification, yeah, just  
24 because they had some specific things to say.

25 CHMN STAFFORD: Would you like to make that

1 motion?

2 MEMBER RICHINS: Is that the point that  
3 we're at? Yeah. Yes. I would move to add the Colorado  
4 River Indian Tribes to Condition 24.

5 MEMBER GOLD: I second.

6 CHMN STAFFORD: So we'd insert that after  
7 "ADOT," on line 22, page 11, before "all parties."

8 MEMBER RICHINS: It would be appropriate to  
9 spell them out in full.

10 CHMN STAFFORD: It's already abbreviated  
11 previously.

12 MEMBER RICHINS: Is it? Okay. That's  
13 fine.

14 CHMN STAFFORD: That is the motion. It has  
15 been moved and seconded.

16 Further discussion?

17 (No response.)

18 CHMN STAFFORD: All in favor say aye.

19 (A chorus of "ayes.")

20 CHMN STAFFORD: Opposed?

21 (No response.)

22 CHMN STAFFORD: Hearing none, the amendment  
23 is adopted.

24 Can I get a motion to adopt Condition 24,  
25 as amended?

1 MEMBER MERCER: So move.  
2 MEMBER LITTLE: So move.  
3 MEMBER MERCER: Second.  
4 CHMN STAFFORD: Further discussion?  
5 (No response.)  
6 CHMN STAFFORD: All in favor say aye.  
7 (A chorus of "ayes.")  
8 CHMN STAFFORD: Opposed?  
9 (No response.)  
10 CHMN STAFFORD: Hearing none, Condition 24,  
11 as amended, is adopted.  
12 Number 25.  
13 MEMBER KRYDER: Mr. Chairman, I move  
14 approval of Condition 25.  
15 MEMBER MERCER: Second.  
16 CHMN STAFFORD: Further discussion?  
17 (No response.)  
18 CHMN STAFFORD: All in favor say aye.  
19 (A chorus of "ayes.")  
20 CHMN STAFFORD: Opposed?  
21 (No response.)  
22 CHMN STAFFORD: Hearing none, Condition 25  
23 is adopted.  
24 Now, Members Little and Fontes, you wanted  
25 to insert a new condition that would require the

1 applicant to file the System Impact Study from WAPA when  
2 it's completed, and to give whatever final document  
3 emerges from the NEPA process, whether it's a FONSI or  
4 a --

5 MEMBER FONTES: Record of Decision.

6 CHMN STAFFORD: -- Record of Decision.

7 Do you guys have specific language? I  
8 think we want to insert it as a new Condition 21. Does  
9 that sound like a good place, after the compliance letter  
10 requirement?

11 MEMBER FONTES: I think so, Mr. Chairman.  
12 I would look for the applicant to just propose the  
13 language.

14 MEMBER LITTLE: Agreed.

15 CHMN STAFFORD: Would you like to take a  
16 brief recess and wordsmith that and then come --

17 MS. GRABEL: Yes, Mr. Chairman.

18 CHMN STAFFORD: -- back and we'll see what  
19 you've got?

20 MS. GRABEL: Perfect. Thank you.

21 CHMN STAFFORD: Excellent. Let's take an  
22 approximately 10-minute recess.

23 MS. GRABEL: Sounds good.

24 CHMN STAFFORD: All right. Thank you.

25 We stand in recess.

1 (Recessed from 10:09 a.m. until 10:17 a.m.)

2 CHMN STAFFORD: All right. Let's go back  
3 on the record.

4 All right. Ms. Grabel, you have some  
5 proposed language for a new Condition 21?

6 MS. GRABEL: Thank you, Mr. Chairman, we  
7 do. We actually thought it made more sense, if you don't  
8 mind, to insert it at 19, because that follows other  
9 state and regional transmission planning forms, so it  
10 seemed to flow better if we made it at 19, as opposed to  
11 at 21.

12 And the proposed language is, "The  
13 applicant shall provide to Commission Staff, (a), a copy  
14 of the final written System Impact Study completed by the  
15 Western Area Power Administration pursuant to the  
16 protective agreement that has been executed for this  
17 docket; and, (b), a copy of the final decision document  
18 culminating from the National Environmental Policy Act  
19 process, as applicable."

20 CHMN STAFFORD: That sounds good to me.  
21 Member Fontes, Member Little?

22 MEMBER LITTLE: I agree. I think that  
23 the -- I'm trying to read the little letters there.

24 MEMBER FONTES: Couple observations on my  
25 part.

1 MEMBER LITTLE: Mr. Bryner -- I'm sorry,  
2 Member Fontes -- Mr. Bryner, is it correct to say "System  
3 Impact Study" or "System Impact Studies"?

4 MR. BRYNER: I might defer to you on that.

5 MEMBER LITTLE: I think it should be  
6 "studies."

7 MEMBER FONTES: My --

8 CHMN STAFFORD: One at a time. One at a  
9 time.

10 MEMBER LITTLE: Go ahead, Mr. -- Member  
11 Fontes.

12 MEMBER FONTES: Yeah, because you can do an  
13 expansion of the gas plant or you decide to get with  
14 another transmission path, we're not just talking about  
15 for the planned project, but all future projects to cover  
16 the ten-year period, so "studies" that may result, as  
17 well as any kind of NEPA documents that may result in  
18 mitigations for the life of the proposed gen-tie.

19 MEMBER LITTLE: In addition, the System  
20 Impact Studies include various different studies. It's  
21 not just one study. So I think it should be "studies."

22 MEMBER FONTES: The Facility Studies is the  
23 third phase, as described in the note by WAPA that they  
24 issued. System Impact Study is a result of Phase II, so  
25 I would say Commission Staff probably needs to know where



1 the final pole placements are in that final path that's  
2 going to be in the right-of-way will be determined by  
3 WAPA.

4 So I would say, "All studies from the  
5 interconnect processes, as described in the WAPA," oh,  
6 but just to short-circuit that, I would say, "systems  
7 impact studies and Facility Studies."

8 Does that get your intent, Member Little?

9 MEMBER LITTLE: It does. Thank you.

10 CHMN STAFFORD: Ms. Grabel?

11 MS. GRABEL: We are absolutely fine giving  
12 the WAPA System Impact Studies and Facility Studies,  
13 that's fine. I would caution, though, that this only  
14 applies to the System Impact Studies that are resulting  
15 from the existing project. That wouldn't be any future  
16 expansion. That would be the subject of an additional  
17 CEC proceeding and any other additional impact studies  
18 would have to be associated with that.

19 MEMBER FONTES: If you put a second circuit  
20 on there, WAPA's probably going to do a second impact  
21 study and Facility Studies, like 90 percent sure on that.

22 CHMN STAFFORD: Yes, but if they -- but if  
23 they add a second circuit, this Certificate only approves  
24 a single circuit on double-circuit-capable structures.  
25 So to add the second circuit, they'd have to come back to

1 the Commission and get authorization to add it.

2 Does that make sense?

3 MEMBER FONTES: Thank you for that  
4 clarification, Mr. Chairman. I had noted that yesterday,  
5 and I appreciate you pointing that out.

6 I'm satisfied, if Member Little is  
7 satisfied, otherwise --

8 MEMBER LITTLE: I'm satisfied.

9 CHMN STAFFORD: So the new Condition would  
10 read: "The applicant shall provide to Commission Staff,  
11 (a), a copy of the final written System Impact Studies  
12 and Facilities Studies, completed by the Western Area  
13 Power Administration, pursuant to the protective  
14 agreement that has been executed for this docket; and,  
15 (b), a copy of the final decision document culminating  
16 from the National Environmental Policy Act process, as  
17 applicable."

18 MEMBER LITTLE: I think that's fine. Thank  
19 you very much.

20 CHMN STAFFORD: All right. Is that -- did  
21 we make a motion?

22 MEMBER FONTES: So moved.

23 MEMBER MERCER: Second.

24 CHMN STAFFORD: Further discussion?

25 I'm looking to the applicant, is this --

1 MS. GRABEL: We're okay. Thank you.

2 CHMN STAFFORD: All right.

3 All in favor say aye.

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none,

8 Condition -- new Condition 19 is adopted.

9 I think we're ready now to move on to the  
10 Findings of Fact and Conclusions of Law.

11 MEMBER GOLD: Mr. Chairman?

12 CHMN STAFFORD: Yes, Member Gold.

13 MEMBER GOLD: I'd like to make a  
14 correction. I have since learned that they can use a  
15 certain kind of plastic pipe called polyethylene  
16 underground, which again, would not be relevant in this  
17 case. But just to correct that they can use plastic now.

18 MR. BRYNER: Thank you. I just knew from  
19 going -- my dad spent his career in the gas utility  
20 industry, and so I was just going off from what I knew  
21 from him. That was the limit of my expertise. So thank  
22 you for researching that.

23 MEMBER GOLD: Your father -- your father  
24 was correct. So listen to dad.

25 On that --

1 MEMBER KRYDER: Mr. Chairman --

2 MEMBER GOLD: -- I move Finding of Fact and  
3 Conclusion of Law 1 be adopted.

4 MEMBER KRYDER: Second.

5 CHMN STAFFORD: Further discussion?

6 (No response.)

7 CHMN STAFFORD: All in favor say aye.

8 (A chorus of "ayes.")

9 CHMN STAFFORD: Opposed?

10 (No response.)

11 CHMN STAFFORD: Hearing none, Finding of  
12 Fact and Conclusion of Law Number 1 is adopted.

13 Number 2.

14 MEMBER KRYDER: I move approval of Finding  
15 of Fact and Conclusions of Law Number 2 be approved.

16 MEMBER MERCER: Second.

17 CHMN STAFFORD: Further discussion?

18 (No response.)

19 CHMN STAFFORD: All in favor say aye.

20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?

22 (No response.)

23 CHMN STAFFORD: Hearing none, Finding of  
24 Fact and Conclusion of Law Number 2 is adopted.

25 Number 3.

1 MEMBER MERCER: Mr. Chairman, I move  
2 Finding of Fact and Conclusion of Law Number 3 be  
3 adopted.

4 MEMBER GOLD: Second.

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

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

9 CHMN STAFFORD: Opposed?  
10 (No response.)

11 CHMN STAFFORD: Hearing none, Finding of  
12 Fact and Conclusion of Law Number 3 is adopted.  
13 Number 4.

14 MEMBER LITTLE: Mr. Chairman, I move  
15 Finding of Fact and Conclusion of Law Number 4.

16 MEMBER KRYDER: Second.

17 CHMN STAFFORD: Further discussion?  
18 (No response.)

19 CHMN STAFFORD: All in favor say aye.  
20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?  
22 (No response.)

23 CHMN STAFFORD: Hearing none, Finding of  
24 Fact and Conclusion of Law Number 4 is adopted.  
25 Number 5.

1 MEMBER GOLD: Mr. Chairman, I move Finding  
2 of Fact and Conclusion of Law Number 5 be adopted.

3 MEMBER MERCER: Second.

4 CHMN STAFFORD: Further discussion?

5 (No response.)

6 CHMN STAFFORD: All in favor say aye.

7 (A chorus of "ayes.")

8 CHMN STAFFORD: Opposed?

9 (No response.)

10 CHMN STAFFORD: Hearing none, Finding of  
11 Fact and Conclusion of Law Number 5 is adopted.

12 Number 6.

13 MEMBER LITTLE: Mr. Chairman, I move Number  
14 6.

15 MEMBER MERCER: Second.

16 CHMN STAFFORD: Further discussion?

17 (No response.)

18 CHMN STAFFORD: All in favor say aye.

19 (A chorus of "ayes.")

20 CHMN STAFFORD: Opposed?

21 (No response.)

22 CHMN STAFFORD: Hearing none, Finding of  
23 Fact and Conclusion of Law Number 6 is adopted.

24 Ms. Grabel, I see you've removed Number 7.  
25 You don't find that necessary for the Certificate?

1 MS. GRABEL: I wouldn't oppose including  
2 it, but I don't think it's necessary. I think it's just  
3 kind of restating the law.

4 CHMN STAFFORD: Well, I guess, since you're  
5 not a developer, it's less relevant for your purposes.

6 MS. GRABEL: Perhaps.

7 CHMN STAFFORD: Members --

8 MEMBER LITTLE: I agree.

9 CHMN STAFFORD: -- we're fine leaving it  
10 out for this one?

11 MEMBER LITTLE: Yes.

12 CHMN STAFFORD: All right. Let's move on  
13 to Exhibit A. So we'll be using Exhibit A attached to  
14 UNS-27. The first Exhibit A marked as "Exhibit A  
15 Preferred Route." I guess we don't need to call it the  
16 preferred route, we'll call it Exhibit A, because that's  
17 what it is.

18 MS. GRABEL: It's the only route.

19 CHMN STAFFORD: Right.

20 MEMBER GOLD: So moved, Mr. Chairman.

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: Further discussion?

23 Member Fontes?

24 MEMBER FONTES: Mr. Chairman.

25 CHMN STAFFORD: Did you want to make any

1 amendments to Exhibit A?

2 MEMBER FONTES: I am satisfied with the  
3 representations here on this case.

4 CHMN STAFFORD: Okay. All right. Exhibit  
5 A has been moved and seconded.

6 All in favor say aye.

7 (A chorus of "ayes.")

8 CHMN STAFFORD: Opposed?

9 (No response.)

10 CHMN STAFFORD: Hearing none, Exhibit A is  
11 adopted. Exhibit A being the preferred route from  
12 UNS-27.

13 Can I get a motion to adopt the Certificate  
14 in its entirety, along with Exhibit A?

15 MEMBER MERCER: So moved.

16 MEMBER KRYDER: Second.

17 CHMN STAFFORD: Further discussion?

18 (No response.)

19 CHMN STAFFORD: Member Kryder.

20 MEMBER KRYDER: Aye.

21 CHMN STAFFORD: Member Mercer.

22 MEMBER MERCER: Aye.

23 CHMN STAFFORD: Member Drago.

24 MEMBER DRAGO: Aye.

25 CHMN STAFFORD: Member Gold.



1 MEMBER GOLD: Aye.

2 CHMN STAFFORD: Member Richins.

3 MEMBER RICHINS: Aye.

4 CHMN STAFFORD: Member Little.

5 MEMBER LITTLE: Mr. Chairman,  
6 notwithstanding my previous comments earlier this  
7 morning, I would like to thank and commend Mr. Bryner.  
8 He did a really good job presenting a lot of diverse  
9 information, and I appreciate that.

10 With that, I vote aye.

11 CHMN STAFFORD: Member French.

12 MEMBER FRENCH: Aye.

13 CHMN STAFFORD: Member Fontes.

14 MEMBER FONTES: I'd like to comment to  
15 Mr. Bryner that I reiterate what Member Little said, well  
16 done. And, in particular of interest, the stakeholder  
17 engagement from the past projects that we've seen  
18 presented has really come to set the standard. So really  
19 appreciate the outreach and the details -- the attention  
20 to detail on that.

21 So I vote aye.

22 CHMN STAFFORD: And I vote aye.

23 By a vote of 9 ayes, 0 nays, the  
24 Certificate is granted.

25 Can I a get a motion to allow the Chairman

1 to correct any scrivener's errors before filing the  
2 Certificate with the Commission?

3 MEMBER GOLD: So moved.

4 MEMBER KRYDER: Second.

5 CHMN STAFFORD: Further discussion?

6 (No response.)

7 CHMN STAFFORD: All in favor say aye.

8 (A chorus of "ayes.")

9 CHMN STAFFORD: Opposed?

10 (No response.)

11 CHMN STAFFORD: Hearing none, the motion  
12 carries.

13 With that, thank you very much to the  
14 applicant. We've got this -- everything resolved with  
15 this.

16 Anything further for the good of the order?

17 MEMBER KRYDER: Mr. Chairman?

18 CHMN STAFFORD: Yes, Member Kryder.

19 MEMBER KRYDER: I wanted to thank the --

20 THE REPORTER: Your -- your microphone.

21 MEMBER KRYDER: Sorry.

22 I wanted to thank the applicant for the  
23 snacks that were brought into the room. It's much  
24 appreciated by this man.

25 MS. GRABEL: It's all Mr. Ancharski.

1 CHMN STAFFORD: Thank you. Thank you.

2 Anything further?

3 (No response.)

4 CHMN STAFFORD: With that, we are

5 adjourned.

6 (The hearing concluded at 10:29 a.m.)

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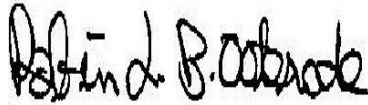
25

1 STATE OF ARIZONA )  
2 COUNTY OF MARICOPA )  
3

4 BE IT KNOWN that the foregoing proceedings were  
5 taken before me; that the foregoing pages are a full,  
6 true, and accurate record of the proceedings all done to  
the best of my skill and ability; that the proceedings  
were taken down by me in shorthand and thereafter reduced  
to print under my direction.

7 I CERTIFY that I am in no way related to any of  
8 the parties hereto nor am I in any way interested in the  
outcome hereof.

9 I CERTIFY that I have complied with the ethical  
10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206  
11 (J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this  
27th day of March, 2025.

12  
13 

14 \_\_\_\_\_  
15 ROBIN L. B. OSTERODE, RPR  
16 CA CSR No. 7750  
AZ CR No. 50695

17 \* \* \* \* \*

18 I CERTIFY that Glennie Reporting Services, LLC,  
19 has complied with the ethical obligations set forth in  
ACJA 7-206(J)(1)(g)(1) through (6).

20  
21  
22 

23 \_\_\_\_\_  
24 GLENNIE REPORTING SERVICES, LLC  
25 Registered Reporting Firm  
Arizona RRF No. R1035