

1 BEFORE THE ARIZONA POWER PLANT LS-296  
2 AND TRANSMISSION LINE SITING COMMITTEE  
3 IN THE MATTER OF THE APPLICATION )DOCKET NO.  
OF UNS ELECTRIC, INC., IN )L-00000F-23-0060-00218  
4 CONFORMANCE WITH THE REQUIREMENTS )  
OF A.R.S. § 40-360, ET SEQ., FOR )LS CASE NO. 218  
5 A CERTIFICATE OF ENVIRONMENTAL )  
COMPATIBILITY AUTHORIZING THE RIO )  
6 RICO TO HARSHAW 138 KILOVOLT (KV) )  
TRANSMISSION LINE PROJECT, WHICH )EVIDENTIARY HEARING  
7 INCLUDES THE CONSTRUCTION OF A )  
NEW 138 KV TRANSMISSION LINE )  
8 ORIGINATING AT THE PLANNED RIO )  
RICO SWITCHYARD (SECTION 12, )  
9 TOWNSHIP 23 S, RANGE 13 E), AND )  
TERMINATING AT THE PLANNED )  
10 HARSHAW SUBSTATION (SECTION 32, )  
TOWNSHIP 22 S, RANGE 16 E), EACH )  
11 LOCATED WITHIN SANTA CRUZ COUNTY, )  
ARIZONA. )  
12 \_\_\_\_\_ )

13 At: Nogales, Arizona

14 Date: April 19, 2023

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602.266.6535 admin@glennie-reporting.com

24

25 By: Jennifer Honn, RPR  
Arizona CR No. 50885

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1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before the  
3 Arizona Power Plant and Transmission Line Siting  
4 Committee at Quality Inn Americana, 639 North Grand  
5 Avenue, Nogales, Arizona, commencing at 9:01 a.m. on  
6 April 19, 2023.

7

8 BEFORE: ADAM STAFFORD, Chairman

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

15 APPEARANCES:

16 For the Applicant:

17 Meghan H. Grabel  
18 Elias J. Ancharski  
19 OSBORN MALEDON  
20 2929 North Central Avenue  
21 21st Floor  
22 Phoenix, Arizona 85012

23 and

24 Megan Hill, in-house counsel  
25 TUCSON ELECTRIC POWER COMPANY  
88 East Broadway, MS HQE910  
P.O. Box 711  
Tucson, Arizona 85702

1 APPEARANCES: (Continued)

2 For South32:

3 Albert H. Acken  
4 ACKEN LAW  
5 111 East Dunlap Avenue  
6 Suite 1-172  
7 Phoenix, Arizona 85020

8 and

9 Todd Gwillim, In-house counsel  
10 SOUTH32

11 For Ernest F. Edwards (Limited Appearance):

12 Ernest F. Edwards  
13 In propria persona

14  
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1 CHMN STAFFORD: Let's go on the record.

2 Now is the time set for the continuation of the  
3 hearing on line siting matter 218.

4 With me are Members French, Members Mercer,  
5 Members Drago, Member Hamway, Member Little.

6 MEMBER PALMER: And me.

7 CHMN STAFFORD: I'm drawing a blank. Member  
8 Palmer.

9 MEMBER HAMWAY: It's a long name.

10 CHMN STAFFORD: With us online is Member  
11 Gentles.

12 Are we ready to resume the hearing?

13 I believe that the parties were ready to provide  
14 their closing arguments; is that correct, Ms. Grabel?

15 MS. GRABEL: Thank you, Mr. Chairman. Yes.

16 Perhaps before doing so we do have our Exhibit 17 that  
17 has been uploaded to your tablets, and we also have a  
18 hard copy available. And just to refresh your

19 recollection, this is the letter to the company from  
20 Kinder Morgan regarding colocation of the gas pipelines.

21 CHMN STAFFORD: Would you like to move for  
22 admission for that into evidence?

23 MS. GRABEL: I would like to move for admission.  
24 I want you to take a look at it real quick to make sure  
25 that it is what I say it is.



1 CHMN STAFFORD: Okay.

2 MS. GRABEL: But I would like to move to admit  
3 it if possible.

4 CHMN STAFFORD: All right. UNSE-17 is admitted.  
5 (Exhibit UNSE-17 was admitted.)

6 MS. GRABEL: Thank you very much.

7 Shall I --

8 CHMN STAFFORD: Please proceed.

9 MS. GRABEL: Thank you very much.

10 CHMN STAFFORD: Thank you.

11 MS. GRABEL: So then I would like to thank the  
12 Committee for their time, their travel and their diligent  
13 consideration of the project before you.

14 I feel privileged to represent TEP and UNSE in  
15 line siting proceedings. I think that this hearing has  
16 demonstrated that this is a company that takes its  
17 obligation to serve customers seriously, but it also  
18 takes seriously how meeting that obligation will impact  
19 stakeholders.

20 Mr. Bryner just came up and told me this morning  
21 that he spent his morning run running the trails of  
22 Circle Z to better understand how the transmission line  
23 would impact the horse riding routes. And I really think  
24 that demonstrates how this company goes above and beyond  
25 to understand the impact of their projects on

1 stakeholders.

2           The proposed route was the result of years of  
3 detailed analysis, ground truthing -- a word I think we  
4 all just learned -- public outreach and personal  
5 engagement with the people affected by the project,  
6 including many of the residents who made public comment,  
7 and Mr. Edwards who made a limited appearance in this  
8 matter.

9           The concerns of the Lake Patagonia area  
10 residents are understandable, but the impact of this line  
11 to them is likely to be far less onerous than they  
12 presently anticipate. The proposed route is located a  
13 half a mile away from the closest residence in the Lake  
14 Patagonia Estates and a mile away if Route 2B is  
15 selected. It will be minimally visible at either of  
16 those distances.

17           The line has been designed to blend into the  
18 environment to the greatest extent possible, nestle  
19 behind hills to minimize the visual impact to viewers and  
20 constructed by self-weathering poles colored similarly to  
21 the desert environment.

22           As we saw from the visual simulations, the  
23 transmission line for the most part will be less visible  
24 than the existing distribution line that runs through  
25 this area.

1 I think the evidence was also clear that there  
2 is a true need for this project. As we heard from  
3 Mr. Risner, South 32nd, which is UNSE's existing  
4 customer, has spent more than \$2 billion dollars on their  
5 project and is pre-funding construction of the line.

6 This is not a line that is going to nowhere.  
7 Mr. Risner's testimony was also clear that South 32nd was  
8 meticulous in calculating the 87-megawatt load increase.  
9 And Mr. Bryner explained why that need can only be met  
10 through a 138 kV transmission line.

11 The company has done its best to ensure that the  
12 route chosen has a minimal impact on the environment and  
13 ecology of the state, and we therefore respectfully  
14 request that the Committee approve the proposed route and  
15 authorize the CEC. Thank you.

16 CHMN STAFFORD: Mr. Acken.

17 MR. ACKEN: Thank you, Chairman. Good morning,  
18 members of the Committee.

19 We really appreciate your consideration of the  
20 transmission line project, and, again, coming to Nogales  
21 to do so. I just want to echo some of the comments that  
22 Ms. Grabel just made.

23 We respectfully submit that this record contains  
24 a clear demonstration of need. As Pat Risner testified,  
25 South 32nd's current options require more power than the

1 distribution line can provide. And the Hermosa project  
2 will be a model of sustainable development and an  
3 economic powerhouse for Santa Cruz County.

4 In addition, as Mr. Bryner testified, the  
5 transmission line project will also provide reliability  
6 benefits to residents in the area.

7 I want to specifically echo Ms. Grabel's  
8 comments about UNSE's efforts. I see a lot of these, and  
9 you see them all. I think that their efforts in this  
10 case are really topnotch. The public outreach process  
11 was robust and thorough.

12 The witnesses presented testimony of thoughtful  
13 and comprehensive assessment of alternatives and their  
14 rationale for the preferred route that's before you now.

15 And so South32 does recommend the preferred  
16 alignment, which best follows linear features and  
17 balances competing resource considerations.

18 At the end of the day as a result of UNSE's  
19 efforts, and the siting process, you have before you an  
20 evidentiary record that clearly shows the preferred route  
21 is environmentally compatible.

22 We thank you for your time and respectfully  
23 request your support for the CEC.

24 Thank you.

25 CHMN STAFFORD: Thank you, Mr. Acken.

1 Members, any discussion?

2 MEMBER FRENCH: Mr. Chairman.

3 CHMN STAFFORD: Yes, Member French.

4 MEMBER FRENCH: With respect to this new piece  
5 of evidence that was admitted this morning, the letter  
6 from the El Paso Natural Gas Company, there are a couple  
7 of things that I have questions about that may be best  
8 answered by South32.

9 First, in the letter it states that, "EPNG will  
10 require the project to fund an alternating current  
11 induction study before construction and also any impacts  
12 that are identified in this study that they will be at  
13 the project expense."

14 And then also that "UNSE cooperates with  
15 attaining the study and required mitigations and complies  
16 with the guidelines that are attached."

17 Can you please discuss that?

18 CHMN STAFFORD: Mr. Acken, would you like to  
19 have your witness take the stand again?

20 MR. ACKEN: Yes. And maybe he can sit here in  
21 the interest of expediency so that he and I can both look  
22 at this. I'm not sure if Mr. Risner has seen this letter  
23 before, but I will ask him to see whether he has.

24 CHMN STAFFORD: And I'll remind Mr. Risner he's  
25 still under oath. Thank you.

1 MR. RISNER: I have not seen the letter before  
2 but I have just read the paragraph on the study.

3 MR. ACKEN: Mr. French, is the question whether  
4 that is part of South32's commitment to fund construction  
5 of the project?

6 MEMBER FRENCH: Yes.

7 MR. RISNER: Yes. If this study is required, we  
8 would fund it as part of our commitment to the project.

9 MEMBER FRENCH: Thank you.

10 MEMBER LITTLE: Mr. Chairman.

11 CHMN STAFFORD: Yes, Member Little.

12 MEMBER LITTLE: Along those lines, does the  
13 condition that is in the proposed CEC cover these  
14 requirements do we suppose, or will we need to expand  
15 that when we get to that point? A legal question.

16 CHMN STAFFORD: I think I'll let Ms. Grabel  
17 answer that question.

18 MS. GRABEL: Thank you, Chairman Stafford. I  
19 honestly do not know the technical difference between  
20 what EPNG is requiring and what a cathodic protection  
21 study would be. Perhaps, Mr. Bryner can answer that  
22 question.

23 MR. BRYNER: It's my understanding -- am I okay  
24 to speak?

25 CHMN STAFFORD: Yes, go ahead, Mr. Bryner. I

1 will remind you you're under oath still.

2 MR. BRYNER: Thank you, Chairman.

3 It's my understanding it is identical to the  
4 requirement that's in the condition.

5 MS. GRABEL: Thank you.

6 MEMBER LITTLE: Thank you.

7 CHMN STAFFORD: Before we pull up the draft CEC  
8 and start discussing the conditions, I wanted to have  
9 kind of a general discussion among the members about what  
10 route we should be considering.

11 Should we be -- consider it to be approving the  
12 recommended route, or does anybody have an interest in  
13 selecting one of the alternative routes?

14 MEMBER HAMWAY: Mr. Chairman.

15 CHMN STAFFORD: Yes, Member Hamway.

16 MEMBER HAMWAY: I think I might have an interest  
17 in selecting 2B.

18 CHMN STAFFORD: 2B. Well, I would refer the  
19 Committee to page E7 of the application.

20 MEMBER HAMWAY: E7?

21 CHMN STAFFORD: Yeah, E7. It's about an inch  
22 and a half down into the application.

23 MEMBER HAMWAY: Right. Okay.

24 CHMN STAFFORD: No, not the exhibit list. The  
25 application itself.

1 MEMBER FRENCH: Mr. Chairman, would it be  
2 possible to have that projected? I don't have my binder  
3 with me.

4 CHMN STAFFORD: Yes, that would be great. Is  
5 that possible, the A/V team?

6 A/V TEAM MEMBER: Mr. Chairman, it is possible.  
7 Just give us one minute to find that page.

8 CHMN STAFFORD: Thank you.

9 It would also be helpful to project the map with  
10 the alternate routes on the opposite screen so we can see  
11 what we're talking about. Thank you.

12 Can everybody see that now?

13 On the screen on the left you can see the visual  
14 impact assessment.

15 MEMBER GENTLES: I can't see it.

16 CHMN STAFFORD: Oh, Member Gentles.

17 MEMBER GENTLES: Yes, Member Gentles. I see a  
18 document with a grid but not a map.

19 CHMN STAFFORD: Do you have your copy of the  
20 application handy?

21 MEMBER GENTLES: Well, I'm trying to find it in  
22 this binder.

23 CHMN STAFFORD: It's under the E tab. It's  
24 page 7 of Exhibit E to the application.

25 MEMBER GENTLES: All right. Thank you. All



1 right. Thank you.

2 CHMN STAFFORD: All right. Does everybody have  
3 the pages in front of them? Members?

4 MEMBER LITTLE: Yes.

5 CHMN STAFFORD: Okay. You can see from Table 10  
6 the visual impact assessment that Section 2A, 2B, and 1C  
7 have the lowest visual impact.

8 MEMBER LITTLE: The most or the least?

9 CHMN STAFFORD: The least. They're ranked.  
10 They're scored and ranked based on types and number of  
11 exposure.

12 And given the fact that we've had a lot of  
13 public comment about the visual impacts I thought it was  
14 worth a discussion about choosing which -- whether the  
15 preferred or alternate route is more compatible.

16 MEMBER HAMWAY: So does this say that 2B --

17 CHMN STAFFORD: Member Hamway.

18 MEMBER HAMWAY: Yes. I'm sorry. Does this say  
19 that 2B has the lowest visual impact assessment?

20 CHMN STAFFORD: It has 2B is the lower visual  
21 impact than 1A.

22 MEMBER HAMWAY: Correct. But --

23 CHMN STAFFORD: And that 2B has a lower visual  
24 impact than 1B and that 1C has a lower visual impact than  
25 2C.

1 MEMBER HAMWAY: Okay. I think the major hit on  
2 2B, if I can remember, was the fact that it was creating  
3 a new utility corridor; is that correct?

4 MS. GRABEL: Yes, ma'am, that's correct.

5 MEMBER LITTLE: Okay. Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Little.

7 MEMBER LITTLE: I think I would be in favor of  
8 considering both 2A and 2B. And then up in the area in  
9 the C area sticking with the preferred Route 1C. That  
10 would be my preference.

11 CHMN STAFFORD: Yes. I'm inclined to agree with  
12 that, Member Little.

13 MEMBER HAMWAY: So, Member Little, what are  
14 you --

15 MEMBER LITTLE: The alternative in the A area,  
16 2A, the alternative in the B area, 2B, and then in the C  
17 area --

18 MEMBER HAMWAY: Yeah, I wouldn't mess with that  
19 one.

20 MEMBER LITTLE: -- preferred one.

21 CHMN STAFFORD: Because I understand that those  
22 would move the line further away from residences.

23 MEMBER LITTLE: Right. It was pretty clear to  
24 me that the residents preferred those alternatives, and I  
25 think that's important.

1 CHMN STAFFORD: And I think everybody agrees on  
2 1C. I think the big question with 1C is going to be the  
3 Forest Service. But it passes through the Forest Service  
4 in two other spots before it gets to 1C anyway. So I  
5 fail to see how why the Forest Service how -- why the  
6 Forest Service would prefer the 2C route when it still  
7 has miles of line through -- it can't avoid the forest.  
8 It cannot. So to take that little chunk out to run it  
9 through the neighborhood doesn't seem to make any sense  
10 to me.

11 MEMBER PALMER: I agree.

12 CHMN STAFFORD: Do any members have questions  
13 for the Applicant?

14 MEMBER PALMER: I would be interested to know  
15 their thoughts on the proposal to use 2A and 2B because  
16 those appear to be --

17 CHMN STAFFORD: Ms. Grabel, would you like to  
18 have Mr. Bryner address that?

19 MS. GRABEL: Certainly.

20 Mr. Bryner, what would the company's position be  
21 if the Committee adopted Routes 2A and 2B as opposed to  
22 preferred alternatives?

23 MR. BRYNER: Yes. So as discussed, the primary  
24 difference between -- or the distinguishing factor of why  
25 we selected 1A and 1B over 2A and 2B -- those will

1 continue to haunt me forever.

2 MEMBER HAMWAY: Us too.

3 MR. BRYNER: It was really just that existing  
4 linear infrastructure. That was the reason why the other  
5 was selected over this.

6 Yes, from a visual standpoint, the other -- the  
7 alternative routes faired better primarily because of the  
8 distance to the residential areas as opposed to the  
9 preferred routes.

10 The only reason we selected the preferred was a  
11 result of that trying to collocate with an existing  
12 corridor.

13 As the company, we have no problem with the  
14 alternative routes. They're viable routes that we can  
15 build.

16 CHMN STAFFORD: And the utility easement you're  
17 talking about is the natural gas line; correct?

18 MR. BRYNER: For 1A it's the natural gas line.  
19 For 1B it would be the linear infrastructure of the  
20 highway.

21 CHMN STAFFORD: The highway, is that what it  
22 was?

23 MR. BRYNER: Correct.

24 CHMN STAFFORD: Okay. All right. Members, I  
25 would ask for a motion to consider. I think we should

1 probably vote on whether -- what the route will be before  
2 we get into the CEC --

3 MEMBER HAMWAY: Absolutely.

4 CHMN STAFFORD: -- and the conditions and that  
5 sort of thing.

6 MEMBER HAMWAY: Right.

7 MEMBER PALMER: Can I ask one other question?

8 CHMN STAFFORD: Yes. By all means, Member  
9 Palmer.

10 MEMBER PALMER: And it was probably answered  
11 already, but on the north-south portion of the 2B, would  
12 that right-of-way be on the private portion of that or  
13 the Forest Service portion of that?

14 MR. BRYNER: Yes, Member Palmer. On the  
15 north-south portion along 2B, the corridor we've  
16 requested would span both forest and private. The  
17 intention would be to place that on private, however. We  
18 did not include that in our Application to the Forest  
19 Service for the SF299.

20 MEMBER PALMER: Thank you.

21 CHMN STAFFORD: Any other questions?

22 (No response.)

23 CHMN STAFFORD: All right. I would ask for a  
24 motion for, one, to decide whether to decide to go with A  
25 or B. And then for, two, for B, to go with 1 or 2B, and

1 then C for 1 or 2C.

2 MEMBER LITTLE: Mr. Chairman, I move that in the  
3 A region we go with 2A.

4 MEMBER HAMWAY: I second that.

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, 2A is selected.  
10 Can I have a motion for segment B?

11 MEMBER LITTLE: Mr. Chairman, I move that we go  
12 with alternative 2B.

13 MEMBER HAMWAY: I'll second it.

14 CHMN STAFFORD: All in favor of 2B say "aye."

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, 2B.

19 Can I get a motion for Section C?

20 MEMBER HAMWAY: I make a motion we accept 1C.

21 MEMBER PALMER: Second.

22 CHMN STAFFORD: All in favor of 1C say "aye".

23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Section 1C is  
2 adopted.

3 All right. Are we ready to put the CEC up on  
4 the board, members?

5 MEMBER HAMWAY: Yep.

6 CHMN STAFFORD: I'm looking in the direction of  
7 the A/V team. Can you -- we'll put -- with the Word on  
8 the left and PDF on the right.

9 We're all set?

10 Why don't we scroll it up so we can -- I'm going  
11 to assume the caption's correct.

12 Can I get a member to move the introduction, and  
13 then we'll amend it?

14 MEMBER HAMWAY: I move the introduction.

15 MEMBER PALMER: Second.

16 CHMN STAFFORD: All right. Today's the 19th;  
17 correct?

18 MEMBER HAMWAY: Yep.

19 MEMBER PALMER: That is correct.

20 CHMN STAFFORD: This section looks correct. If  
21 you scroll down.

22 We would need to move Member Grinnell --  
23 actually, we should -- should we make a note that he  
24 recused himself in the order?

25 MEMBER LITTLE: Yes.

1 MEMBER HAMWAY: I think so, yes.

2 CHMN STAFFORD: I would suggest you put recused  
3 in parenthesis next -- after his description and title.

4 MEMBER HAMWAY: Perfect.

5 CHMN STAFFORD: Keep scrolling please.

6 I think after the South32 intervention we should  
7 also note that --

8 MEMBER HAMWAY: We had a limited appearance.

9 CHMN STAFFORD: Yes. It's all the same statute  
10 number.

11 MEMBER LITTLE: So it should say, "The following  
12 party was granted limited."

13 CHMN STAFFORD: Individual -- limited appearance  
14 are not parties. We'll have to fill in the X to X at the  
15 end of the order.

16 Can I get a motion to adopt the introduction as  
17 amended?

18 MEMBER HAMWAY: I move we adopt the introduction  
19 as amended.

20 MEMBER LITTLE: Second.

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, the introduction



1 is adopted.

2 Can I get a motion to -- for the Chairman to  
3 correct scrivener's errors?

4 MEMBER HAMWAY: So moved.

5 MEMBER PALMER: Second.

6 CHMN STAFFORD: All in favor?

7 (A chorus of "ayes.")

8 CHMN STAFFORD: Opposed?

9 (No response.)

10 Hearing none, motion passes. Moving on to the  
11 project description.

12 MEMBER LITTLE: Do we want to put the actual  
13 length?

14 MEMBER HAMWAY: Yeah, I was going to ask. Did  
15 we exceed the 20 miles by adding 2A and 2B?

16 CHMN STAFFORD: I'll defer that to Ms. Grabel,  
17 who will defer it to Mr. Bryner.

18 MR. BRYNER: Sorry. Yes, Mr. Chairman.

19 We've not exceeded the 20 miles in length. That  
20 accounted the 17 miles was on the low end, the 20 miles  
21 was on the high end. I can add up the miles here. We  
22 have that in our application. I can get that if we want  
23 to put the actual.

24 CHMN STAFFORD: I think if the range stated in  
25 the order is accurate, that's good enough. We don't need

1 to narrow it down. I don't think.

2 Members? Do you agree with that?

3 MEMBER LITTLE: That's fine.

4 MEMBER HAMWAY: I don't think it matters.

5 CHMN STAFFORD: Okay.

6 MEMBER HAMWAY: No one ever reads it anyway.

7 Did I say that out loud? Don't put that in there.

8 THE COURT REPORTER: Sorry.

9 CHMN STAFFORD: Members, let me know when you're  
10 ready to scroll down unless you want to read it out loud.

11 MEMBER HAMWAY: No.

12 MEMBER LITTLE: Do we change the description to  
13 reflect what we --

14 MEMBER PALMER: What we just voted on?

15 MEMBER HAMWAY: Yeah, we need to do that.

16 CHMN STAFFORD: Well, the alternates are  
17 described later on. This is just the -- we'll probably  
18 want to change the order, findings of facts and orders  
19 later on, but I think this is just stating --

20 MEMBER LITTLE: Oh, okay. Oh, I see. Thank  
21 you.

22 MEMBER PALMER: Okay.

23 CHMN STAFFORD: -- what the Applicant stated  
24 in --

25 MEMBER HAMWAY: Okay.

1 MEMBER LITTLE: Okay. Thank you.

2 MEMBER PALMER: Is there more below that that we  
3 haven't seen?

4 CHMN STAFFORD: Have the members completed their  
5 review of the -- reviewed the project description for the  
6 preferred route?

7 MEMBER PALMER: I don't think we've seen all of  
8 it yet. There we go.

9 CHMN STAFFORD: I think we'll take it in  
10 sections. We'll do the preferred route and the  
11 introduction first and then move to the alternative  
12 route.

13 MEMBER PALMER: I would move approval of the  
14 project overview preferred route.

15 MEMBER HAMWAY: Second.

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

20 CHMN STAFFORD: Hearing none, that portion of  
21 the project description is adopted.

22 Moving on to the preferred route -- to the  
23 alternate route, excuse me. Additional alternate routes.  
24 Excuse me.

25 MEMBER PALMER: I move approval to the

1 additional alternative route.

2 MEMBER LITTLE: Second.

3 CHMN STAFFORD: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none, that's adopted.

8 Moving on to the conditions.

9 MS. GRABEL: Mr. Chairman, may I say one quick  
10 thing?

11 CHMN STAFFORD: Yes, Ms. Grabel.

12 MS. GRABEL: So Exhibit A typically depicts the  
13 route that's actually approved by the Committee. And the  
14 current Exhibit A is described as a map of the project,  
15 including the preferred and alternative routes, which  
16 would suggest all of the routes.

17 So we will modify Exhibit A to include Routes 1A  
18 and 1B and 2B and whatever, you know, what --

19 CHMN STAFFORD: Who wants a "yes"?

20 MS. GRABEL: But do we need to change the  
21 language? So a map of the project, including the  
22 approved routes, or something to that effect?

23 A map of the project reflecting the approved  
24 routes? And then you could list what they are.

25 CHMN STAFFORD: Members?

1 MEMBER HAMWAY: I'm fine with that.

2 CHMN STAFFORD: Can I get a motion?

3 MEMBER HAMWAY: Yeah.

4 CHMN STAFFORD: Can I get a motion?

5 MEMBER HAMWAY: Oh, sure. So moved.

6 MEMBER PALMER: Second.

7 CHMN STAFFORD: All in favor.

8 (A chorus of "ayes.")

9 MEMBER FRENCH: Mr. Chairman, can we see that  
10 verbiage before we vote?

11 CHMN STAFFORD: Yes. It's -- we have to amend  
12 it, yeah. So it should read, A map of the project,  
13 including -- why can't it just be the map of the project  
14 consisting of --

15 MEMBER LITTLE: I like the word reflected.

16 MS. GRABEL: What if you actually add a sentence  
17 before it that says, "The Committee considered the  
18 various alternatives, and, you know, because of the  
19 visual impacts to stakeholders decided to adopt  
20 alternative routes"?

21 CHMN STAFFORD: Yeah, I was thinking about doing  
22 that in the findings of fact and conclusions of law.

23 MS. GRABEL: Okay.

24 CHMN STAFFORD: At this point we're just  
25 describing -- you're not going to have an Exhibit A

1 reflecting the changes today, are you?

2 MS. GRABEL: We can.

3 CHMN STAFFORD: You can?

4 MS. GRABEL: P-Dub's (phonetic) working on it  
5 right now.

6 Another alternative is to have two maps. We'll  
7 have an Exhibit A and Exhibit B.

8 CHMN STAFFORD: Yeah. I'm inclined to keep this  
9 sentence, The map of the project, including preferred  
10 alternative routes as attached as Exhibit A.

11 That way when the Commission looks at it, they  
12 can see they'll have a map of what we're talking about.

13 MS. GRABEL: Uh-huh.

14 CHMN STAFFORD: Yeah, I like the idea of an  
15 Exhibit B with the final route.

16 MS. GRABEL: Okay.

17 CHMN STAFFORD: Members, how do you feel about  
18 that?

19 MEMBER PALMER: Yeah, I think that works.

20 MEMBER LITTLE: Works for me, yep.

21 MEMBER PALMER: You can add to that.

22 MEMBER HAMWAY: Should we make a motion?

23 CHMN STAFFORD: Yeah, let's -- let's just -- all  
24 right. So we finished this section.

25 We're keeping it as it is; correct?

1 MEMBER HAMWAY: Correct.

2 CHMN STAFFORD: We're not changing that last  
3 sentence.

4 MEMBER PALMER: Or do you want to add Exhibit --

5 MEMBER HAMWAY: I think we want to add --

6 MEMBER PALMER: -- B?

7 MEMBER HAMWAY: Yeah, sure. Is this the right  
8 place?

9 CHMN STAFFORD: Well, let's --

10 MEMBER LITTLE: Yes. All right. So --

11 MEMBER HAMWAY: I think --

12 CHMN STAFFORD: Or we could add a sentence that  
13 says, A map of the final -- a map of the final approved  
14 route is attached as Exhibit B.

15 MEMBER HAMWAY: Correct.

16 MEMBER PALMER: There you go.

17 MEMBER HAMWAY: I think that's important.

18 CHMN STAFFORD: Do we need a comma between final  
19 and approved?

20 MS. GRABEL: I don't think so.

21 CHMN STAFFORD: All right. Can I get a motion?

22 MEMBER PALMER: Mr. Chairman, I would amend my  
23 motion to adopt the alternative routes to include that  
24 last sentence and the Exhibit B.

25 MEMBER HAMWAY: Second.

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.  
6 Are we ready to address the conditions, members?  
7 MEMBER HAMWAY: Yep.  
8 CHMN STAFFORD: All right.  
9 MEMBER HAMWAY: I move Condition 1.  
10 MEMBER LITTLE: Second.  
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 1 is  
16 adopted.  
17 Moving on to Condition 2.  
18 MEMBER PALMER: I move Condition 2.  
19 MEMBER HAMWAY: Second.  
20 CHMN STAFFORD: All in favor?  
21 (A chorus of "ayes.")  
22 CHMN STAFFORD: Opposed?  
23 (No response.)  
24 CHMN STAFFORD: Hearing none, Condition 2 is  
25 adopted.



1 Moving on to Condition 3.

2 MEMBER MERCER: I move Condition 3.

3 MEMBER FRENCH: Second.

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

5 (A chorus of "ayes.")

6 CHMN STAFFORD: Opposed?

7 (No response.)

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

10 Condition 4.

11 MEMBER HAMWAY: I move Condition 4.

12 MEMBER DRAGO: Second.

13 CHMN STAFFORD: All in favor?

14 (A chorus of "ayes.")

15 CHMN STAFFORD: Opposed?

16 (No response.)

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

19 Moving on to Condition 5.

20 I had a quick thought about -- oh, it's the next  
21 one, I think. Yeah.

22 MEMBER HAMWAY: Which one? We're on 5?

23 CHMN STAFFORD: Yeah, we're on 5.

24 MEMBER HAMWAY: I move Condition 5.

25 MEMBER GENTLES: Second.

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 5 is  
6 adopted.

7 Moving on to Condition 6.

8 This is the standard language we've used before,  
9 but I recall from the presentation that there could be  
10 potentially issues with construction during certain times  
11 of year based on the nesting habits of some of the avian  
12 species.

13 Is it -- would that be -- would that be covered  
14 by this? I don't -- I don't think it would.

15 MEMBER LITTLE: Huh-uh.

16 CHMN STAFFORD: Because I remember in other  
17 cases we've had they had like a whole avian protection  
18 plan, which is more than just --

19 MEMBER PALMER: But is this saying --

20 MEMBER HAMWAY: Well, we have that.

21 CHMN STAFFORD: -- practicing it.

22 MEMBER HAMWAY: We have that.

23 MEMBER PALMER: I think this is saying that they  
24 have to use that avian protection plan.

25 CHMN STAFFORD: I would ask the Applicant

1 about --

2 MEMBER HAMWAY: We never really know what that  
3 plan is called.

4 CHMN STAFFORD: I'd ask the Applicant if they  
5 recall the -- the presentation -- their discussion and  
6 their handling of the -- with the nesting of a certain  
7 species during the construction phase.

8 Can you give us some assurances that the -- how  
9 the applicant will handle to minimize the impact to  
10 the --

11 MS. GRABEL: Yes. Thank you, Mr. Chairman.

12 I'm going to let Mr. Bryner respond to that  
13 question.

14 CHMN STAFFORD: Thank you.

15 MR. BRYNER: Yes, Mr. Chairman. Those are kind  
16 of two separate issues.

17 So this one addresses electrocution of birds  
18 through -- we minimize that through the design of the  
19 line and then the way we operate the line.

20 What you're referring to would be the temporary  
21 impacts associated with construction, and we have those  
22 environmental protection measures.

23 If you'll recall Mr. Lindenlaub's testimony that  
24 we have built and listed into the biological evaluation  
25 included in the application that includes things like

1 preconstruction surveys for nesting birds and things like  
2 that or constructing outside of those nesting seasons.

3 And so we intend to comply with all of those  
4 environmental protection measures that are listed in the  
5 application, and I feel that would be adequate to comply  
6 with what your -- what your concerns is.

7 MR. ACKEN: Mr. Chairman, can I --

8 CHMN STAFFORD: I'm just trying to consider  
9 where it's going to be reflected in the conditions.

10 Mr. Acken.

11 MR. ACKEN: I'm sorry for speaking over you,  
12 Mr. Chairman. I did want to be heard on this.

13 I believe it's addressed in both Condition 1 and  
14 Condition 5.

15 You know, we have -- you know, the Applicant has  
16 obligations to comply with all applicable federal, state,  
17 and local laws. That would include laws governing  
18 migratory birds, which addresses this very issue.

19 Condition 5, you know, you've got the Game and  
20 Fish's guidelines for handling, which also addresses this  
21 same issue.

22 So that's -- that's why, you know, this question  
23 of how do you handle nesting season arises frequently.  
24 Conditions 1 and 5 address that.

25 CHMN STAFFORD: Thank you. I feel better now.

1 Members, I think we're considering Condition 6  
2 now.

3 MEMBER MERCER: I move Condition 6.

4 MEMBER PALMER: Second.

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 6 is  
10 adopted.

11 Moving on to Condition 7.

12 MEMBER LITTLE: I move Condition 7.

13 MEMBER HAMWAY: Second.

14 CHMN STAFFORD: All in favor say "aye."

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, Condition 7 is  
19 adopted.

20 Condition 8.

21 MEMBER PALMER: Move Condition 8.

22 MEMBER MERCER: Second.

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 8 is  
3 adopted.

4 Moving on to Condition 9.

5 MEMBER HAMWAY: I move Condition 9.

6 MEMBER DRAGO: Second.

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, Condition 9 is  
12 adopted.

13 Moving on to Condition 10.

14 MEMBER HAMWAY: I move Condition 10.

15 MEMBER PALMER: Second.

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

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

22 Moving on to Condition 11.

23 MEMBER GENTLES: Mr. Chairman, I move  
24 Condition 11.

25 MEMBER HAMWAY: Second.

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 11 is  
6 adopted.

7 Moving on to Condition 12.

8 MEMBER PALMER: I move Condition 12.

9 MEMBER HAMWAY: Second.

10 CHMN STAFFORD: All in favor say "aye."

11 (A chorus of "ayes.")

12 CHMN STAFFORD: Opposed?

13 (No response.)

14 CHMN STAFFORD: Hearing none, Condition 12 is  
15 adopted.

16 Moving on to Condition 13.

17 MEMBER HAMWAY: I move Condition 13.

18 MEMBER LITTLE: Second.

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 13 is  
24 adopted.

25 Moving on to Condition 14.

1 MEMBER MERCER: I move Condition 14.

2 MEMBER HAMWAY: Second.

3 CHMN STAFFORD: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none, Condition 14 is  
8 adopted.

9 Moving on to Condition 15.

10 MEMBER HAMWAY: I move Condition 15.

11 MEMBER LITTLE: Second.

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 15 is  
17 adopted.

18 Moving on to Condition 16.

19 MEMBER LITTLE: I move Condition 16.

20 MEMBER PALMER: Second.

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 16 is



1 adopted.

2 Moving on to Condition 17. I think what we're  
3 seeing is a formatting error on the one on the left. Oh,  
4 it's moving around.

5 MEMBER PALMER: I move Condition 17.

6 MEMBER MERCER: Second.

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, Condition 17 is  
12 adopted.

13 Moving on to Condition 18.

14 MEMBER HAMWAY: I move Condition 18.

15 MEMBER MERCER: Second.

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

20 CHMN STAFFORD: Hearing none, Condition 18 is  
21 adopted.

22 Moving on to Condition 19.

23 MEMBER MERCER: I move Condition 19.

24 MEMBER HAMWAY: Second.

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 19 is  
5 adopted.

6 Moving on to Condition 20.

7 MEMBER PALMER: I move Condition 20.

8 MEMBER HAMWAY: Second.

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 20 is  
14 adopted.

15 Moving on to Condition 21.

16 MEMBER HAMWAY: I move Condition 21.

17 MEMBER MERCER: Second.

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 21 is  
23 adopted.

24 Moving on to Condition 22.

25 MEMBER HAMWAY: I move Condition 22.

1 MEMBER PALMER: Second.

2 CHMN STAFFORD: All in favor say "aye."

3 (A chorus of "ayes.")

4 CHMN STAFFORD: Opposed?

5 (No response.)

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

8 Moving on to the finding of fact and conclusions  
9 of law, and I believe we'll need to add one to this  
10 section justifying the route selection.

11 MEMBER HAMWAY: Okay.

12 MEMBER PALMER: Do you want to start with the  
13 ones that we have?

14 CHMN STAFFORD: Right. So we'll just -- we'll  
15 work through it, and we'll -- at some point we'll have to  
16 have a motion to add a condition.

17 MEMBER HAMWAY: Okay.

18 MEMBER PALMER: I will move finding of fact and  
19 conclusion of law No. 1.

20 MEMBER HAMWAY: Second.

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, finding of fact

1 and conclusion of law No. 1 is adopted.

2 Moving on to No. 2.

3 MEMBER GENTLES: Mr. Chairman, I'll move finding  
4 of fact and conclusion of law No. 2.

5 MEMBER HAMWAY: Second.

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, No. 2 is adopted.  
11 Moving on to No. 3.

12 MEMBER GENTLES: Move finding 3.

13 MEMBER HAMWAY: Second.

14 CHMN STAFFORD: Oh, I think this is, perhaps,  
15 the one we want to amend to reflect the route selection.

16 MEMBER PALMER: Okay.

17 MEMBER HAMWAY: Oh, you want to do it there?  
18 Okay.

19 MS. GRABEL: Mr. Chairman, I agree with that.

20 CHMN STAFFORD: Okay.

21 MS. GRABEL: Perhaps add the language saying,  
22 "In doing so the Committee determined that it was  
23 appropriate and in the public interest to adopt  
24 alternatives 2 --

25 CHMN STAFFORD: 1B, 2B and 1C.

1 MEMBER PALMER: -- 1B and 2B and 1C. To be or  
2 not to be.

3 MR. ACKEN: That's not right. 2A, 2B, 1C.

4 MS. GRABEL: Right. 2A, 2B, 1C. Thank you.

5 MR. ACKEN: Yeah.

6 MEMBER LITTLE: Mr. Chairman.

7 CHMN STAFFORD: Yes, Member Little.

8 MEMBER LITTLE: How is the capital P project  
9 defined? I guess we could scroll all the way back and  
10 see, but does --

11 CHMN STAFFORD: The project is defined on page 1  
12 as a 138 kV transmission line called the Rio Rico to  
13 Harshaw 138 kV transmission line.

14 MEMBER LITTLE: Okay. Thank you.

15 MEMBER FRENCH: Mr. Chairman.

16 CHMN STAFFORD: Member French.

17 MEMBER FRENCH: May I suggest adding something  
18 at the end of the sentence that reflects the final route  
19 shown in Exhibit B?

20 CHMN STAFFORD: Yes. I think that's an  
21 excellent suggestion.

22 You said a final approved route shown in  
23 Exhibit B?

24 And, Ms. Grabel, Exhibit B is forthcoming;  
25 correct?

1 MS. GRABEL: Exhibit B is actually with the A/V  
2 team right now. We can put it up.

3 CHMN STAFFORD: All right. They can wait  
4 because I think we'll vote on adopting Exhibits A and B  
5 after we -- at the end since because they're attached to  
6 the end of the CEC.

7 MS. GRABEL: Correct.

8 MEMBER PALMER: I would move finding of fact 3  
9 as amended.

10 MEMBER HAMWAY: Second.

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, finding of fact  
16 and conclusions of law No. 3 is adopted.

17 Moving on to No. 4.

18 MEMBER FRENCH: Move finding 4.

19 MEMBER DRAGO: Second.

20 CHMN STAFFORD: All in favor say "aye."

21 (A chorus of "ayes.")

22 CHMN STAFFORD: Opposed?

23 (No response.)

24 CHMN STAFFORD: Hearing none, No. 4 is adopted.

25 Moving on to No. 5.

1 MEMBER PALMER: Move finding 5.

2 MEMBER HAMWAY: Second.

3 CHMN STAFFORD: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none, No. 5 is adopted.

8 Moving on to No. 6.

9 MEMBER HAMWAY: I move condition -- or finding  
10 of fact No. 6.

11 MEMBER PALMER: Second.

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 6 is  
17 adopted.

18 Now, let's move down to the exhibits. The  
19 exhibits were attached. It's exhibits. Yes. Okay.

20 MEMBER GENTLES: Mr. Chairman, do you need to  
21 put the date in there?

22 CHMN STAFFORD: Yeah, we will. We need to put  
23 what the vote is too in it. And that's in the  
24 introduction.

25 MEMBER GENTLES: Yeah.

1 CHMN STAFFORD: But we haven't had the final  
2 vote yet, so we don't -- that date could conceivably be  
3 different than today if something were to happen.

4 MS. GRABEL: Mr. Chairman, while we're waiting  
5 for the maps, this is just kind of OCD grammar thing, but  
6 on No. 3 I think it would be more clear if we said,  
7 "Which is the final approved route shown in Exhibit B."

8 Would the Committee be okay with that? Right  
9 now it just looks like another in a series of commas.

10 CHMN STAFFORD: As the final approved route?

11 MS. GRABEL: Which is the final approved route.

12 CHMN STAFFORD: Okay. There you go. Can I get  
13 a motion?

14 MEMBER HAMWAY: So moved.

15 MEMBER LITTLE: Second.

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

20 CHMN STAFFORD: Hearing none.

21 MEMBER LITTLE: Mr. Chairman.

22 CHMN STAFFORD: Finding of fact and conclusions  
23 of law No. 3 is amended.

24 MS. GRABEL: Thank you. And the OCD in-house  
25 counsel thanks you very much.



1 CHMN STAFFORD: Pardon?

2 MS. GRABEL: The grammar OCD in-house counsel  
3 thanks the Committee very much.

4 CHMN STAFFORD: Thank you.

5 MEMBER LITTLE: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Little.

7 MEMBER LITTLE: In No. 3 I think it is finding  
8 of fact it is just a single transmission system, not  
9 multiple transmissions system.

10 CHMN STAFFORD: Maybe --

11 MEMBER HAMWAY: No. 2.

12 MEMBER LITTLE: No. 2. Sorry.

13 CHMN STAFFORD: No. 2? Oh, yes, yes.

14 MEMBER HAMWAY: Yep.

15 CHMN STAFFORD: That's a typo there. I could  
16 get that in a scrivener's error, but let's do it -- but  
17 let's do it now then so it's one less thing to worry  
18 about.

19 MEMBER LITTLE: OCD and my engineer's brain  
20 thanks you very much.

21 CHMN STAFFORD: Did we get a motion?

22 MEMBER HAMWAY: I move finding of fact No. 2 as  
23 amended.

24 MEMBER PALMER: Second.

25 MEMBER HAMWAY: Although it hasn't been amended

1 yet, has it?

2 MEMBER PALMER: Yeah, it is.

3 CHMN STAFFORD: You can barely see it.

4 MEMBER HAMWAY: Okay.

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, finding of fact  
10 and conclusion of law No. 2 is amended -- as amended is  
11 adopted.

12 So we're waiting on the exhibits now to adopt.

13 MEMBER PALMER: There they are.

14 MEMBER HAMWAY: I move Exhibit A.

15 MEMBER PALMER: Do we move the exhibits or did  
16 we -- yeah.

17 MEMBER HAMWAY: We do.

18 MEMBER PALMER: Okay. Then I'll second.

19 CHMN STAFFORD: Is that second I heard, Member  
20 Palmer?

21 MEMBER PALMER: Yes.

22 CHMN STAFFORD: All right. So this is going to  
23 be with the Exhibit A with both -- all the alternate  
24 routes on it.

25 All in favor say "aye."

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, Exhibit A is  
5 adopted.

6 Moving on to Exhibit B.

7 This shows the final approved route.

8 MEMBER HAMWAY: Did we ever --

9 CHMN STAFFORD: Is that the corridor width that  
10 I'm seeing in this additional detail?

11 MS. GRABEL: Yes, Chairman, it is.

12 MEMBER HAMWAY: Did we ever? Is this map  
13 somewhere that I could read the fine print?

14 Do we need to -- I don't remember seeing this  
15 particular map.

16 MS. GRABEL: No, Member Hamway. This map was  
17 created last night and this morning to reflect what you  
18 are approving today and to more clearly define the  
19 approved corridors.

20 MEMBER HAMWAY: Okay.

21 MS. GRABEL: We discussed what the corridors  
22 were during the testimony. If you'd like us to print it  
23 out, we can do that.

24 MEMBER HAMWAY: No. I can't read that small  
25 print.

1 Is it just a description of where -- of what it  
2 is?

3 MS. GRABEL: It is. So just by way of an  
4 example I can read the one on the very left. "Begin  
5 500-foot corridor at existing transmission line near  
6 Vereda Ortiz in Section 12."

7 MEMBER HAMWAY: Okay.

8 MS. GRABEL: And then it kind of follows the  
9 route accordingly.

10 CHMN STAFFORD: And then it's the widest  
11 corridor up at the top through the forest and will allow  
12 the most leeway to place the poles.

13 I believe that's a difficult terrain you have to  
14 work with, isn't it.

15 MS. GRABEL: That's correct.

16 MEMBER HAMWAY: Okay. I move Exhibit B.

17 MEMBER LITTLE: Second.

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, Exhibit B is  
23 adopted.

24 I believe now we're ready to vote the entire  
25 CEC.

1 Unless there's anything further from the  
2 members, are we ready for the final vote?

3 Is the Committee going to review it in its  
4 entirety one more time before they move the item?

5 MEMBER HAMWAY: I don't need to.

6 Does somebody?

7 CHMN STAFFORD: Can I get a motion?

8 MEMBER HAMWAY: Am I moving the whole CEC?

9 CHMN STAFFORD: Yes.

10 MEMBER HAMWAY: Okay. I move the CEC as  
11 presented in the right-hand side -- oh, no, it's the  
12 left-hand side as amended.

13 MEMBER PALMER: I will second the motion.

14 CHMN STAFFORD: We'll do a roll call vote for  
15 the final order.

16 Member French.

17 MEMBER FRENCH: I vote aye.

18 CHMN STAFFORD: Member Mercer.

19 MEMBER MERCER: I vote aye.

20 CHMN STAFFORD: Member Drago.

21 MEMBER DRAGO: I vote aye.

22 CHMN STAFFORD: Member Hamway.

23 MEMBER HAMWAY: Yes. First of all, I'd like to  
24 thank Mr. Risner for the amazing presentation of the  
25 mine. I know that was not jurisdictional, but I do

1 appreciate the effort.

2 And I appreciate all the residents that came  
3 out, because it does help us understand the area better.  
4 And I hope the selections that we've made are helpful to  
5 the community, and I do believe that this project is  
6 going to be an amazing economic driver for Santa Cruz  
7 County.

8 And with that I vote aye.

9 CHMN STAFFORD: Member Palmer.

10 MEMBER PALMER: Thank you, Mr. Chairman.

11 I too would like to thank the Applicant, the  
12 Intervenor, and I want to thank the public as well. I  
13 think it was reflected in some of the routes we adopted  
14 today their input into this process. And while -- when  
15 some are for and some are against, everyone never goes  
16 away completely happy.

17 I think given the economic significance to not  
18 only the area but to our country that this mine plays and  
19 the necessity of this power line to make that a reality,  
20 I think we have to look at the greater good, and I think  
21 the Applicant did a great job of presenting that case to  
22 us these last three days, and I want to thank them.

23 I want to thank Jennifer. There's nothing worse  
24 than being away from home when you don't feel good. And  
25 we certainly understand having to stop for a sneeze now

1 and then, but thank you for your service here today.

2 And with that I vote aye.

3 CHMN STAFFORD: Member Little.

4 MEMBER LITTLE: I also would like to thank the  
5 Applicant for the presentation, and in particular the  
6 willingness to work with the stakeholders in the  
7 community.

8 I also very much appreciate the residents coming  
9 out and expressing their concerns, their support, their  
10 requests as has been expressed already here. It's so  
11 helpful to us.

12 I recognize that we are unable to accommodate  
13 everyone's requests, but I think that both the Applicant  
14 and we as a Committee have tried to do our best.

15 And I also appreciate the thoroughness of the  
16 Applicant in planning and studying the addition of this  
17 line to the -- to Arizona and the western grid. I think  
18 that's important and is often maybe shortchanged a little  
19 bit.

20 The siting process study was very interesting to  
21 me also. I appreciate that.

22 And with that I vote aye.

23 CHMN STAFFORD: Member Gentles.

24 MEMBER GENTLES: Mr. Chairman, I vote aye.

25 CHMN STAFFORD: And I vote aye as well.

1 By a vote of 8 to 0, the CEC's approved.

2 You can put today's date on the last page as  
3 well.

4 Anything further from the parties?

5 MS. GRABEL: No, Mr. Chairman. Thank you and  
6 the Committee very much again for your efforts.

7 MEMBER LITTLE: Can we leave all of this  
8 paperwork for you to recycle?

9 MS. GRABEL: Yes. Sure thing.

10 MEMBER LITTLE: Thank you.

11 CHMN STAFFORD: Thank you. With that we are  
12 adjourned.

13 (The hearing concluded at 10:05 a.m.)

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1 STATE OF ARIZONA )  
 )  
2 COUNTY OF MARICOPA )

3 BE IT KNOWN that the foregoing proceedings were  
4 taken before me; that the foregoing pages are a full,  
5 true, and accurate record of the proceedings, all done to  
6 the best of my skill and ability; that the proceedings  
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10 parties hereto nor am I in any way interested in the  
11 outcome hereof.

12 I CERTIFY that I have complied with the ethical  
13 obligations set forth in ACJA 7-206(F)(3) and  
14 ACJA 7-206(J)(1)(g)(1) and (2).

15 Dated at Phoenix, Arizona, April 24, 2023.

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17  
18 

19 \_\_\_\_\_  
20 JENNIFER HONN, RPR  
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