

1 BEFORE THE ARIZONA POWER PLANT LS-324
2 AND TRANSMISSION LINE SITING COMMITTEE

3 IN THE MATTER OF THE) DOCKET NO.
4 APPLICATION OF 1886 SOLAR) L-21260A-23-0218-00224
5 ENERGY STATION, LLC, IN)
6 CONFORMANCE WITH THE)
7 REQUIREMENTS OF ARIZONA REVISED) LS CASE NO. 224
8 STATUTES, SECTIONS 40-360, ET.)
9 SEQ., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING THE 1886 SOLAR)
ENERGY STATION INTERCONNECTION)
PROJECT LOCATED IN COCONINO)
COUNTY, ARIZONA.) EVIDENTIARY HEARING
)

10

11 At: Flagstaff, Arizona
12 Date: September 7, 2023
13 Filed: September 13, 2023

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16 REPORTER'S TRANSCRIPT OF PROCEEDINGS
17 VOLUME I
(Pages 1 through 141)

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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 High Country Conference Center, 1899
5 Ballroom, 307 West DuPont Avenue, Flagstaff, Arizona,
6 commencing at 10:00 a.m. on September 7, 2023.

7

8

9 BEFORE: ADAM STAFFORD, Chairman

10 GABRIELA S. MERCER, Arizona Corporation Commission
11 LEONARD DRAGO, Department of Environmental Quality
12 DAVID FRENCH, Arizona Department of Water Resources
13 R. DAVID KRYDER, Agriculture Interests
14 SCOTT SOMERS, Incorporated Cities and Towns
(Via Videoconference)
15 MARGARET "TOBY" LITTLE, PE, General Public
16 COL. JON H. GOLD, General Public

14

15

16 APPEARANCES:

17 For the Applicant:

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1 CHMN STAFFORD: Let's go on the record.
2 Now is the time set for the hearing on the application of
3 1886 Solar Energy Station, LLC, for Certificate of
4 Environmental Compatibility, Docket Number
5 L-21260A-23-0218-00224. Henceforth, known as Line Siting
6 Case 224. Let's start by taking roll.

7 Member Little?

8 MEMBER LITTLE: Toby Little representing
9 the public.

10 CHMN STAFFORD: Member Drago?

11 MEMBER DRAGO: Yeah, Len Drago; I represent
12 the Arizona Department of Environmental Quality.

13 CHMN STAFFORD: Member Kryder?

14 MEMBER KRYDER: Richard David Kryder,
15 representing Arizona Agriculture.

16 CHMN STAFFORD: Member Mercer?

17 MEMBER MERCER: Gabriela Mercer, designee
18 of the Arizona Corporation Commission Chairman.

19 CHMN STAFFORD: Member Gold?

20 MEMBER GOLD: Jon Gold, representing the
21 people of the state of Arizona.

22 CHMN STAFFORD: Member Somers?

23 (No response.)

24 CHMN STAFFORD: Do we have any members on
25 Zoom?

1 AUDIOVISUAL TECHNICIAN: Currently there's
2 nobody on Zoom.

3 MEMBER DRAGO: You need Member French.

4 CHMN STAFFORD: Oh, I didn't say Member
5 French? I wrote your name down, I just didn't say it out
6 loud apparently.

7 MEMBER FRENCH: David French directors
8 designee for the Arizona Department of Water Resources.

9 CHMN STAFFORD: Thank you.
10 Let's start by taking appearances,
11 Mr. Acken.

12 MR. ACKEN: Thank you, Chairman. Good
13 morning, Members of the Committee, Bert Acken, on behalf
14 of 1886 Solar Energy Station, LLC, the applicant in this
15 matter, and it's good to see you again.

16 CHMN STAFFORD: Thank you. Now, there have
17 been no requests for intervention in this case?

18 MR. ACKEN: That's correct.

19 CHMN STAFFORD: Mr. Acken, would you like
20 to make an opening statement before you call your first
21 witness panel?

22 MR. ACKEN: I would. Thank you. Just it
23 will be a brief opening and it may sound familiar to you.

24 So, again, thank you, Committee, we greatly
25 appreciate the opportunity to present the 1886 Solar

1 Energy Station Interconnection Project. 1886 Solar
2 Energy Station, LLC, is a subsidiary of Stellar Renewable
3 Power, and is requesting approval for the project. And
4 let's talk about that project, the 1886 Solar Energy
5 Station Interconnection Project.

6 Some of these maps will look familiar to
7 you, as will the project description. So this again is a
8 5-mile -- approximately 5-mile 500kV AC generation
9 intertie between the project substation for the 1886
10 Solar project to the point of interconnection. The point
11 of interconnection is the planned APS Switchyard that you
12 approved yesterday in case CEC 225-B.

13 And it's located on the Moenkopi-to-Cedar
14 Mountain regional transmission line. As this Committee
15 is aware, there are a number of projects that are
16 interconnecting at that switchyard. On the map on the
17 right you see an overview of the area in which it's
18 located. I'm using this green laser pointer to show
19 the -- thank you -- the footprint, if you will, for the
20 solar facility.

21 Again, this is located at about 30 miles of
22 where we are today in Flagstaff, located on Babbitt
23 Ranches' checkerboard private and state land just north
24 of the Kaibab National Forest. The map on the right, on
25 slide 2 shows the project corridor for which we are

1 seeking approval. It starts at the project substation,
2 shown in red, and then parallels the two existing
3 transmission lines to that point of interconnection at
4 the APS Switchyard.

5 So for orientation purposes, and we're here
6 for case 224, case 225, which you just heard, its
7 transmission line runs from off this page down to this
8 point of interconnection. Maybe I should use this map
9 over here, where the -- the case 225 started in this
10 area, and for 5 miles went down to the point of
11 interconnection.

12 And, again, this map shows the Arizona
13 Trail. We are several miles away from it for this
14 project. So the Arizona Trail is not a primary
15 consideration for this project. Again, all project
16 facilities are located in Cochise County [sic].

17 MR. HAZLE: Coconino County.

18 MR. ACKEN: Did I say Cochise? Thank you.

19 MEMBER KRYDER: One of those.

20 MR. ACKEN: One of those C-o's; you would
21 think I'd get it right after being up here.

22 So the -- again, the route starts at the
23 project substation, proceeds north for 4 1/2 miles before
24 going in towards the APS Switchyard.

25 The corridor we're requesting here is a

1 500-foot-wide corridor, as it parallels the existing
2 infrastructure slightly larger for the project
3 substation -- where it interconnects, excuse me, at the
4 project substation. The requested right-of-way is
5 250 feet, but perhaps up to 500 feet in some areas.

6 We have a panel of five witnesses, four of
7 them are in front of you right there, three from Stellar
8 Renewable Power. Kelsey Silver is the project manager
9 for the project; she'll talk about the solar project, the
10 interconnection process, the interconnection project
11 itself, provide details about that. Stephen Land is vice
12 president of development for Stellar; he's going to
13 provide some information about the applicant and be
14 available to answer additional questions. Oliver Chua,
15 also with Stellar, is a construction manager for this
16 project, and so he will talk about some of the facilities
17 that will be used for the interconnection project and be
18 available to answer questions about the construction
19 project. Dean Hazle will present the virtual tour, as
20 well as a summary of the public involvement and public
21 notice for the CEC hearings; he will cover most of the
22 discussion regarding environmental compatibility,
23 including his opinion as to the project's environmental
24 compatibility. Mr. Brasier is behind Mr. Chua at this
25 moment, but he will step forward to speak again about

1 biological resources and recreational resources in the
2 vicinity of the project.

3 Again, this project is located in the same
4 area, has the same landowner, same supportive landowner,
5 as the testimony will show. What's different about this
6 project, it's a solar and storage project, not a wind
7 project. But same distance transmission line,
8 approximately, just coming from a different direction.

9 Just to orient you, we have 10 potential
10 exhibits in the binder in front of you, and we will go
11 through those in our testimony. I do think we will call
12 Stephen Foster, who you heard yesterday, from KR Saline
13 as part of our direct case rather than as an optional
14 witness, you know, after it seemed the Committee welcomed
15 his testimony. He has provided a similar study for this
16 project. I would ask that he be allowed to participate
17 virtually this afternoon, as he's back down in Phoenix.

18 But this applicant, like the prior
19 applicant, does not have a System Impact Study, for the
20 same reasons, but did retain KR Saline to conduct
21 studies, so as to provide information regarding the
22 reliability of the interconnection. And as I did in
23 the -- in case 225, I am preserving the legal argument
24 that both the solar and storage project and the large
25 generator interconnection process are outside the

1 jurisdiction of the Committee, but you've heard me say
2 that multiple times. I'm not going to beat that horse in
3 this hearing, but I did want to reserve that, just so you
4 know.

5 But, again, it's not a question you need to
6 answer, because you're going to have the studies in front
7 of you provided in our direct case. And so at the
8 conclusion of this, I believe, and hopefully you agree
9 that you will have all the information you need in order
10 to rule on the requested Certificate of Environmental
11 Compatibility in this matter.

12 So with that, that's all I have as my
13 opening remarks, and happy to answer any questions or
14 dive right into our panel's testimony.

15 CHMN STAFFORD: Member Kryder?

16 MEMBER KRYDER: Mr. Chairman.

17 Mr. Acken, I may not have heard it, but is
18 there not a battery setup in this as well?

19 MR. ACKEN: There is. There is.

20 MEMBER KRYDER: And where does it lie on
21 the map ahead of us?

22 MR. ACKEN: I am going to ask -- oops, I
23 don't have that control. I will ask Ms. Silver to
24 address that in her testimony when we get to the direct
25 case.

1 MEMBER KRYDER: Why don't we just wait,
2 then.

3 MR. ACKEN: Yeah, she'll address that.

4 MEMBER KRYDER: Thank you. I'm sorry,
5 Bert.

6 MR. ACKEN: Uh-huh.

7 CHMN STAFFORD: All right. So let's swear
8 in the witnesses.

9 Mr. Land, did you prefer an oath or
10 affirmation?

11 MR. LAND: Affirmation, Chairman.

12 (Stephen Land was duly affirmed by
13 the Chairman.)

14 CHMN STAFFORD: Ms. Snyder [sic], same
15 question, oath or affirmation?

16 MS. SILVER: Affirmation.

17 CHMN STAFFORD: -- Silver, excuse me, I'm
18 sorry, Silver, right.

19 MS. SILVER: That's okay. No problem.

20 (Kelsey Silver was duly affirmed by
21 the Chairman.)

22 CHMN STAFFORD: Mr. Hazel?

23 MR. HAZLE: Affirmation, please.

24 (Dean Hazle was duly affirmed by
25 the Chairman.)

1 CHMN STAFFORD: And, Mr. Chua?

2 MR. CHUA: Yes, affirmation, please.

3 (Oliver Chua was duly affirmed by
4 the Chairman.)

5 CHMN STAFFORD: Is the other witness on the
6 panel still too or is he just sitting further back?

7 MR. ACKEN: I would like him to be sworn
8 in.

9 So, Mr. Brasier, if you could please move
10 to a mic, at least for this portion.

11 MR. BRASIER: Sure.

12 CHMN STAFFORD: And would you prefer an
13 oath or affirmation?

14 MR. BRASIER: An affirmation, please.

15 (Nicholas Brasier was duly affirmed by
16 the Chairman.)

17 CHMN STAFFORD: Thank you.

18 All right. Mr. Acken, you may begin.

19 MR. ACKEN: Thank you, Chairman. Members
20 of the Committee, we're going to be using the slide deck
21 that has been marked for identification as SES-2 if you
22 want to follow along in a hard copy or on your tablets,
23 if the multiple screens aren't sufficient.

24 //

25 //

1 development and negotiating off-take agreements.

2 Q. Next, summarize your education and professional
3 experience.

4 A. (MS. SILVER) So I went to Colorado State
5 University for an undergrad in -- bachelor of science in
6 ecology. I then went to the University of Denver for a
7 master of science in energy and sustainability.

8 After school I worked for the City of Denver in
9 the environmental quality department. I then went to
10 Tetra Tech as a consultant for renewable energy projects,
11 went over to the private sector working for AES in
12 development for solar and storage projects in the West
13 U.S. And then am now working here.

14 So in a total I have about six years of
15 experience in solar and storage projects in development,
16 and across all the Western U.S. in -- in all different
17 sectors of the industry.

18 Q. What topics will you cover in your testimony
19 today?

20 A. (MS. SILVER) I'm going to provide an overview of
21 the project, outline the project's interconnection, and
22 describe the project's permitting status.

23 Q. Thank you.

24 Mr. Land, same questions for you. Please state
25 your name, employer, and business address.

1 A. (MR. LAND) My name is Stephen Land. I work for
2 Stellar Renewable Power, and our business address is
3 14643 Dallas Parkway, Dallas, Texas.

4 Q. And in what capacity do you work for Stellar?

5 A. (MR. LAND) At Stellar Renewable Power, I'm the
6 vice president of development.

7 Q. And as VP of development, what do you do?

8 A. (MR. LAND) As VP of development, I oversee a
9 team of project managers, similar to Kelsey, across the
10 United States and support in the permitting,
11 interconnection, construction, and off-take negotiations
12 around our projects.

13 Q. Summarize your professional background and
14 education.

15 A. (MR. LAND) My professional background began with
16 my enlistment in the United States Submarine Navy. I did
17 that for seven years. Over the course of those seven
18 years I earned my bachelor's degree from Warner College.
19 Post 9/11 I made the choice to commission in the United
20 States Army, where I served for an additional 13 years.

21 During that 13 years, I also went to the College
22 of William and Mary and earned my master's of business
23 administration. Upon retiring from the service, I joined
24 Next Air Energy Resources, and led early-stage renewables
25 development in the Southeast portion of the country.

1 From there, I went to AES Clean Energy where I led
2 strategy and greenfield development in the Mountain West
3 region before joining Stellar in May of 2022. So that's
4 a wrap-up of my professional background.

5 Q. And what is your role in the project before the
6 Committee today?

7 A. (MR. LAND) So my role is to supervise and
8 oversee those project-related activities that result in a
9 successful project.

10 Q. And what topics will you cover today?

11 A. (MR. LAND) I will introduce the chairman and the
12 Commission to Stellar Renewable Power.

13 Q. Mr. Chua, please state your name, employer, and
14 business address.

15 A. (MR. CHUA) Yeah, my name is Oliver Chua. I work
16 for Stellar Renewable Power. And the business address is
17 14643 Dallas Parkway, Dallas, Texas.

18 Q. And what do you do for Stellar?

19 A. (MR. CHUA) I'm the director of projects and
20 construction.

21 Q. And what do you do in that role?

22 A. (MR. CHUA) So my role primarily is to oversee
23 anything related to project engineering, procurement, and
24 construction, taking projects that are, you know, past
25 the development phase, bringing them through

1 construction, building them, and then handing them off to
2 asset management for long-term operations and
3 maintenance.

4 Q. Summarize your professional background and
5 education.

6 A. (MR. CHUA) Sure. I got my bachelor of science
7 in industrial engineering from Iowa State University, and
8 then in 2007 started a career in construction. I joined
9 the major EPC contractor in Minneapolis, Mortenson
10 Construction, as a field engineer. Spent about 12 years
11 over there, made it up to project manager.

12 Then went over to the owner/developer side with
13 a large Indian conglomerate, the Adani Group, as a senior
14 PM. And then transitioned over to Lightsource, BP, a
15 major British solar developer as a project director.
16 Made it to VP of projects and construction over there.
17 And then just over a year ago in August, got this
18 opportunity with Stellar, and transitioned over as the
19 director of projects and construction.

20 Q. And what will your testimony cover today?

21 A. (MR. CHUA) I'm here to support Stephen and
22 Kelsey on the technical aspects of the project and any
23 construction-related questions.

24 Q. Thank you.

25 Mr. Hazle, it's been two days since you

1 introduced yourself to the Committee, but would you
2 please state your name, employer, and business address?

3 A. (MR. HAZLE) My name is Dean Hazle. I work for
4 SWCA Environmental Consultants, and my business address
5 is 1645 South Plaza Way, Flagstaff, Arizona.

6 Q. And what do you do for SWCA?

7 A. (MR. HAZLE) I'm the planning team lead for
8 Northern Arizona, and a project manager. I primarily
9 support utility and developer clients in planning,
10 permitting, and compliance for renewable energy projects
11 and their transmission lines. So mainly doing
12 Certificates of Environmental Compatibility and County
13 entitlements and overseeing a team of planners that work
14 on NEPA proceedings as well.

15 Q. Briefly summarize your professional experience
16 and education.

17 A. (MR. HAZLE) I hold a bachelor of science in
18 geology from Hope College in Holland, Michigan. I have
19 about 10 years of professional experience with
20 environmental and regulatory compliance, primarily
21 focused on various aspects of infrastructure siting.
22 I've held technical and management positions in state
23 government, industry, and consulting, including a period
24 as the assistant director of the Massachusetts Energy
25 Facility Siting Board.

1 Q. And how many times have you testified now before
2 this Committee?

3 A. (MR. HAZLE) I've testified in seven cases since
4 2022. Each of those cases have focused on generation-tie
5 lines for a range of -- a range of connected projects,
6 including solar projects, and including 500kV
7 transmission lines of similar length and in similar
8 settings.

9 Q. And what was SWCA's role in this project?

10 A. (MR. HAZLE) Stellar engaged SWCA in the spring
11 of 2023, to support the development of the CEC
12 application. For the CEC, SWCA completed environmental
13 resource studies focused on the generation-intertie line,
14 and also coordinating the public outreach and public
15 notice activities for the CEC application.

16 In doing so, we prepared Exhibits A through J of
17 the application before you today. And I personally
18 oversaw the compilation of the information contained in
19 each of the exhibits in the application.

20 Q. And what topics will you cover in your
21 testimony?

22 A. (MR. HAZLE) I'll begin by providing a virtual
23 route tour to help orient the Committee in terms of the
24 location and setting and design of the proposed
25 transmission line, and then I'll cover public involvement

1 and sort of the pre-filing outreach that we conducted,
2 followed by the prescriptive public notice requirements
3 after filing the application.

4 Additionally, I'll provide testimony on the
5 environmental compatibility of the project, covering
6 topics including land use, visual resources, cultural
7 resources, and noise and interference.

8 My colleague, Mr. Brasier, will cover biological
9 resources and recreation. And, finally, I will offer my
10 overall opinion as to the compatibility of this project
11 relative to the statutory factors outlined in ARS 40-360.

12 Q. Thank you, Mr. Hazle.

13 Mr. Brasier, I'm going to ask you to step
14 forward again just for your intro, you're going to get
15 your exercise, I guess, this morning.

16 Thank you. Please state your name, employer,
17 and business address for the record.

18 A. (MR. BRASIER) Sure. My name is Nicholas
19 Brasier, with SWCA Environmental Consultants, located at
20 1645 South Plaza Way, Flagstaff, Arizona.

21 Q. And remind the Committee of what you do for
22 SWCA.

23 A. (MR. BRASIER) Sure. I'm an environmental
24 planner and project manager. I focus primarily on state,
25 local, and federal permitting for renewable energy

1 projects.

2 Q. Next, summarize your professional and
3 educational background, I believe, and you've testified
4 previously that you were a bird nerd?

5 A. (MR. BRASIER) That is correct. I studied
6 environmental biology at Tulane University where I earned
7 my bachelor's in science, as well as a bachelor of arts
8 in environmental studies. I spent about seven or
9 eight years working with state and federal government,
10 including time as the assistant manager of the Methow
11 Wildlife Management Area in Washington State, and a
12 position with the National Park Service's exotic plant
13 management team.

14 And for the last four years I've been working in
15 the consulting industry, primarily with renewable energy
16 projects and NEPA compliance.

17 Q. Thank you, Mr. Brasier.

18 We are going to turn now to the first
19 substantive topic, which is a discussion of the applicant
20 which again is -- I'll make sure I get this correct for
21 the record -- 1886 Solar Energy Station, LLC, and its
22 parent company, Stellar Renewable Power.

23 For that, Mr. Land, please describe the
24 applicant and its parent.

25 A. (MR. LAND) So the applicant is 1886 Solar Energy

1 Station, LLC, which is a project company formed by
2 Stellar Renewable Power. Stellar Renewable Power is a
3 renewable development platform. We came into existence
4 in the summer of 2021, so we are a relatively young
5 company, but the -- the team is comprised of industry
6 veterans.

7 We focus on utility-scale solar and battery
8 storage across multiple markets across the United States,
9 with the goal of responsibly developing utility-scale
10 projects.

11 Q. Thank you, Mr. Land.

12 Can you talk briefly about the slide on the
13 right slide, 24?

14 A. (MR. LAND) Absolutely.

15 So since December 2021, I think the slide does a
16 good job of indicating the tremendous progress we've made
17 across the country, we currently have early to mid-stage
18 projects in 14 states across a dozen separate
19 transmission providers, and these are in the various
20 stages of development.

21 Q. Next, we're going to talk about the solar
22 project. Again, it's not jurisdictional, but we
23 recognize there's interest in understanding about the
24 solar project which does, Member Kryder, to your
25 question, include a battery component. So --

1 MEMBER LITTLE: Mr. Chairman?

2 CHMN STAFFORD: Yes, Member Little.

3 MEMBER LITTLE: Before we get too much
4 further along, would you just explain a little bit what
5 the Community Solar project focused states are? Just
6 for -- just because I'm interested. Thank you.

7 MR. LAND: Yeah, Commissioner [sic] Little,
8 let me weigh in a little bit on that. So I guess to
9 speak specifically to that, I'm vice president of
10 development for utility-scale solar and storage. A
11 separate business function is what we refer to as
12 Community Solar offerings. And these are primarily
13 projects that are 10 megawatts and less, so they're much
14 smaller in nature.

15 And the reason you see a concentration in
16 just a handful of states is these offerings tend to be
17 very policy-driven, so that's the rationale behind the
18 handful of states in the middle part of the country.

19 MEMBER LITTLE: Thank you.

20 CHMN STAFFORD: Quick follow-up question.
21 Policy, does that mean that those state have policies
22 that promote Community Solar or favorable towards that
23 approach?

24 MR. LAND: Chairman, so -- so there may not
25 be policy currently in place, but we do see a pathway by

1 which we think in the future there could be favorable
2 policy, and that's what really motivates the states we
3 target.

4 CHMN STAFFORD: Thank you.

5 BY MR. ACKEN:

6 Q. All right. Thank you, Mr. Land.

7 Now, Ms. Silver, please describe -- provide an
8 overview of the solar and storage project.

9 A. (MS. SILVER) Sure.

10 So the 1886 Energy -- Solar Energy Station solar
11 project will have the capacity of 500 megawatts solar,
12 500 megawatts BESS. And the project will include arrays
13 of solar photovoltaic panels, lower voltage, like 34.5 kV
14 collector lines, inverter stations, and an electric
15 storage system made of lithium ion batteries in a
16 contained facility.

17 The diagram on the right shows a visualization
18 of the solar project's energy generation process. The
19 generation process begins at the solar panels that
20 convert the sun's -- the sun's rays into electricity.
21 Electricity generated or stored by the solar project will
22 travel through lower-voltage collector lines to the
23 project substation, where a power transformer that will
24 increase the voltage of the generated electricity to
25 500kV for delivery into the interconnection project will

1 be. All collector lines from the solar project will
2 terminate at the project substation, which is located on
3 private property.

4 Q. Where is the solar project located?

5 A. (MS. SILVER) The solar project is located in
6 unincorporated Coconino County in active -- on an active
7 cattle ranch owned by Babbitt Ranches, approximately
8 30 miles northwest of Flagstaff. And the anticipated
9 start of construction date for the 1886 Solar Energy
10 Station is May 1st, 2025, with a commercial operation
11 date of May 1st, 2027. So the locations of the solar
12 project is shown in the visuals on the right.

13 The first -- the first picture on the left shows
14 the location of the solar project shown in the
15 grayed -- oh, sorry -- shown in the grayed squares and
16 the interconnection project in the black line, as it
17 relates to the nearby landmarks. The next picture shows
18 a land ownership in the surrounding project. The solar
19 project is located on private land, and interconnection
20 project is located on private land and Arizona State Land
21 Department land. Finally, the picture on the right is an
22 aerial map showing the undeveloped nature of the project
23 area.

24 Q. Ms. Silver, can you address Mr. Kryder -- Member
25 Kryder's question about the location of the BESS, or

1 perhaps someone else on the panel, where you anticipate
2 it's going to be located at this time?

3 A. (MS. SILVER) So the BESS will be located on
4 private land as well. It will be on the Babbitt Ranches
5 within those gray squares. And so the -- the area that
6 is highlighted on there will include the project
7 substation, the BESS, and the solar.

8 Q. Thank you.

9 Mr. Chua, somewhat timely, or it's a good segue,
10 in light of the discussion about the batteries, talk
11 about Stellar's plans for coordination with Coconino
12 County regarding fire safety and emergency response
13 plans.

14 A. (MR. CHUA) Okay.

15 So what typically happens, you know, pursuant to
16 receiving a power purchase agreement and an
17 interconnection agreement, you know, that triggers us on
18 the development side to start our RFP for an EPC
19 contractor to start building the project. And once we
20 award that to a contractor, we would then work with them
21 to ensure that there's a very robust, you know, safety
22 emergency response plan, which involves coordination with
23 the, you know, the fire marshal, the sheriff, all the
24 local hospitals, medical facilities, Life Flight, if
25 there's availability here to ensure that they're -- all

1 the access and egress routes are confirmed and this site
2 is in a state where all personnel are aware of the
3 hazards and are able to react accordingly should anything
4 untoward happen.

5 MEMBER GOLD: Mr. Chairman?

6 CHMN STAFFORD: Yes, Member Gold.

7 MEMBER GOLD: Mr. Chua, first of all, thank
8 you for being here, I appreciate that, since we're
9 talking about safety, I'll just bring up something early
10 in our discussion. You're talking about safety of
11 personnel, what about safety of the system? And I'm
12 referring to not only natural electronic pulses --
13 electromagnetic pulses emanating from the sun or some
14 volcanic eruption or something else, but I'm talking
15 about deliberate military-style attacks? Would you
16 please touch base with what you know about that?

17 MR. CHUA: Sure, Member Gold.

18 The way these plants are designed, you
19 know, we work with, you know, industry leading, you know,
20 contractors and engineers to engineer these plans to, you
21 know, all industry standards, right, we've got IEEE, we
22 have NEC, we have NFPA standards that we have to adhere
23 to. And to address the specific question of the EMPs,
24 you know, the way the project is constructed, the
25 substation, you know, which is the, let's call it

1 epicenter of the project, where all the telemetry and
2 controls are that regulate the power that comes from the
3 project and goes to the grid, that is equipped with
4 breakers, both on the low side, on the solar side, and
5 the high side on the grid side, you know, that in the
6 event of a surge from an EMP or anything equivalent will
7 cause them to trip in -- if a surge happens like that.

8 MEMBER GOLD: So you're saying you have
9 breakers that are geared specifically to EMP?

10 MR. CHUA: Geared specifically to surges of
11 any kind, including EMPs.

12 MEMBER GOLD: Surges come in different
13 frequencies --

14 MR. CHUA: Sure.

15 MEMBER GOLD: -- you are aware of that?

16 MR. CHUA: Yup.

17 MEMBER GOLD: The naturally occurring
18 surges are very low frequency, to the best of my
19 knowledge. But military-grade surges would be caused by
20 high frequencies. The typical circuit breakers that are
21 in use today typically don't meet the requirements to
22 stop an EMP burst.

23 So what I'm asking is, specifically, are
24 you aware in this project, or any other projects, that
25 we've put in that type of equipment those types of,

1 quote-unquote, breakers, and what are we doing to protect
2 the backup equipment from the same impact by an EMP
3 strike if it is a hostile EMP strike? What is your
4 knowledge of that?

5 MR. CHUA: So --

6 MEMBER GOLD: And how are you -- how is
7 this project -- well, not specifically this project --
8 how are we dealing with that?

9 MR. CHUA: So I will say that the breakers,
10 I did have confirmation from our engineers just now, if
11 you'll allow me to just refer to that, we are designing
12 these breakers. So the breakers operate in two to three
13 cycles, and the relays operate in one to two cycles, so
14 we're talking five cycles and in a 60 Hertz system -- AC
15 system, which we are working with, that's
16 83.5 milliseconds we're talking about.

17 MEMBER GOLD: And EMP pulses -- pulses
18 travel at the speed of light, so we're a little slower
19 than speed of light here, how long will it take these
20 switches to engage before damage is done to our systems?

21 MR. CHUA: So that's what it was, in
22 83.5 milliseconds, the breakers will trip.

23 MEMBER GOLD: And that is sufficient in a
24 hostile EMP attack?

25 MR. CHUA: So I'd like to be clear that

1 we -- we consider an EMP, you know, no different than any
2 surge, you know, caused by any other, you know, source.

3 So in the event that a surge overwhelms the
4 system, right, in our view, 83.5 milliseconds is the
5 reaction time with which the breakers will trip, and
6 therefore, not cause any, you know, additional damage,
7 you know, past the breakers.

8 MEMBER GOLD: Okay. Has this been tested,
9 to the best of your knowledge?

10 MR. CHUA: Yeah, yeah. There's very
11 significant testing that happens in a commissioning phase
12 of projects of this nature.

13 MEMBER GOLD: So they tested it with an EMP
14 surge?

15 MR. CHUA: Not with an EMP, but with a --
16 it's called more like a simulated trip, where a utility,
17 for example, APS, would, in conjunction with the project,
18 simulate these situations and make sure that the breakers
19 and relays trip accordingly.

20 MEMBER GOLD: How do you simulate a breaker
21 tripping? The breaker trips or it doesn't trip, it's a
22 physical device.

23 MR. CHUA: Right.

24 MEMBER GOLD: Simulation is numbers coming
25 out of a computer. What I'm -- what I'm asking -- first

1 of all thank you for your expertise on this. Here's my
2 concerns, too, first, for the specific line that we're
3 looking at, it's an antenna. I believe they're all
4 grounded, correct?

5 MR. CHUA: Yeah.

6 MEMBER GOLD: So the grounding will
7 mitigate the effects of an EMP burst, but it won't
8 mitigate it completely, so but the line committee is
9 doing -- the line creators are doing sufficient so long
10 as everything is grounded, that helps?

11 MR. CHUA: Right.

12 MEMBER GOLD: Now, the switching station
13 that everything is coming into --

14 MR. CHUA: Yup.

15 MEMBER GOLD: -- I think there's two
16 companies, CenterPoint or Siemens, I'm not sure the names
17 of which of the companies are who are working on these
18 switches, are you familiar with them?

19 MR. CHUA: I'm not. With the switchyard
20 construction, no. I just know that there is one; I'm not
21 sure who is working on it.

22 MEMBER GOLD: Okay. This is important
23 simply because if we lose the grid, estimates are there
24 will be 90 percent casualties, and that's human beings
25 dead, in the event of a major hostile EMP strike. And

1 from a military point of view, our adversaries are
2 considering that as a first-use weapon to prevent us from
3 countering.

4 So I ask that you continue what you're
5 doing, push it a little further, if you can, and I ask
6 that everybody else be aware when you're doing this that
7 EMP is serious. You can survive weeks without food, but
8 you cannot survive weeks without water, and specifically
9 in the state of Arizona, water is all pumped from
10 aquifers that are far in excess of the 32 feet that you
11 can manually pump water.

12 So it's something that is very concerning
13 to me, to yourselves, and the Committee and I wish this
14 to be made aware of.

15 Thank you, Mr. Chua.

16 MR. CHUA: Duly noted.

17 Thank you, Member Gold.

18 MEMBER GOLD: I yield.

19 MR. ACKEN: Thank you, Member Gold.

20 Q. Ms. Silver, while we're talking about the solar
21 and storage project, specifically, talk about your
22 coordination with Babbitt Ranches, the underlying
23 landowner.

24 A. (MS. SILVER) Yeah.

25 So the 1886 Solar Energy Station was formerly

1 part of the CO Bar Ranch Solar -- CO Bar Solar Complex,
2 which is located on private cattle ranchland owned by
3 Babbitt Ranches, approximately 30 miles northwest of
4 Flagstaff.

5 In August 2022, Stellar acquired a portion of CO
6 Bar Solar Complex from the original developer. This
7 portion of the complex is referred to as the 1886 Solar
8 Energy Station, and includes the solar project and
9 interconnection project. The name "1886" is actually a
10 nod to Babbitt Ranches, which was incorporated in 1886.

11 Stellar is coordinating closely with Babbitt
12 Ranches to develop the interconnection project in a
13 manner that is consistent with Babbitt Ranches'
14 management objectives. In fact, we met with Babbitt
15 Ranches yesterday, and -- to provide an update on the
16 project, and they wanted to show their support for the
17 project in the CEC.

18 The picture on the right shows the western
19 portion of the CO Bar Ranch in which the project is
20 located.

21 Q. Next, describe the federally regulated large
22 generator interconnection process.

23 A. (MS. SILVER) Sure. So Arizona Public Service
24 Company's interconnection project is driven by federal
25 law and overseen by FERC. It begins with an

1 interconnection request, which is submitted by the
2 developer. APS then completes a System Impact Study, or
3 SIS, that identifies the impacts to the electric system
4 and would result from the project interconnection.

5 Next, APS performs a facility study, which is a
6 refinement of the engineering results from the System
7 Impact Study. And then, finally, the project is moved
8 into a Large Generator Interconnection Agreement, or
9 LGIA, in which the project -- in which the contractual
10 binding document assures that the interconnection
11 facility implements and pays for any necessary network
12 upgrades.

13 Q. What is the status of the interconnection
14 process for this project?

15 A. (MS. SILVER) The project was submitted to
16 interconnection with APS in March 2021, and we entered
17 into an agreement with APS to complete the System Impact
18 Study in June 2021. Originally the System Impact Study
19 was planned to be completed in January 20- -- or, sorry,
20 by April -- or by January 2023. My bad.

21 That was then pushed to October 2023. And we
22 have now since learned that that date is being moved to
23 January 2024.

24 Q. That's a familiar story for the Committee.

25 So what did you do, given the delay with the

1 System Impact Study?

2 A. (MS. SILVER) So we retained KR Saline to prepare
3 a power flow analysis, which was completed August 31st,
4 2023.

5 Q. And what are the conclusions of KR Saline's
6 analysis?

7 A. (MS. SILVER) The power flow analysis that KR
8 Saline conducted concluded that some volt- -- voltage
9 issues were identified, but those were attributed to
10 modeling practices and should not require upgrades to the
11 project.

12 MR. ACKEN: And for the Committee's
13 edification, we will -- we do plan to call Stephen Foster
14 again today. With the Committee's assent, I'd like to
15 have him appear virtually since he's back in Phoenix
16 today, but he'll be available certainly after 1:00.

17 Q. Was Mr. Foster's study prepared by KR Saline
18 provided to Commission Staff?

19 A. (MS. SILVER) Yes, it was provided pursuant to
20 the protective agreement in this docket on August 31st.
21 And we understand that it will be docketed today.

22 Q. Nothing like cutting it close.

23 CHMN STAFFORD: We won't vote until
24 tomorrow, so --

25 MR. ACKEN: Yeah, Commission legal is well

1 aware of our time frame. I can attest to that.

2 Q. Okay. Thank you, Ms. Silver.

3 Now I'd like you to turn to the jurisdictional
4 facilities. The 500kV above-ground transmission line.
5 Discuss that for the Committee?

6 A. (MS. SILVER) Sure.

7 So the interconnection project is approximately
8 5 miles long, overhead transmission line that connects
9 the solar project to the original electric grid. The
10 interconnection project will connect to the Navajo South
11 Transmission Systems, Moenkopi-to-Cedar Mountain 500kV
12 transmission, via the APS Switchyard, where the
13 interconnection project will terminate. This switchyard
14 is being built, as planned generation projects in the
15 area are developed. It was authorized in prior case --
16 in a prior case the Committee heard this week.

17 Once built, the APS will design, construct --
18 and construct the switchyard and interconnection
19 facilities. The switchyard will be located in Township
20 26, North Range East 5, Section 21, which can be found on
21 slide 40. And Dean is pointing that out right now.

22 Q. Thank you.

23 Describe the route itself in a bit more detail.

24 A. (MS. SILVER) So the proposed route for the
25 interconnection project is approximately 5 miles, running

1 southwest from a project substation along the existing
2 Moenkopi-to-Cedar Mountain 500kV transmission line, just
3 north of the line. And, as you can see, it runs through
4 starting at the Babbitt Ranches' private property at our
5 substation, through some more Babbitt Ranch private
6 property and Arizona State Land to meet the APS
7 Switchyard.

8 Q. And what is the requested right-of-way and
9 corridor for this project?

10 A. (MS. SILVER) We are requesting a 500-foot CEC
11 corridor in which the -- in which Stellar plans to
12 establish a 250-foot-wide ROW. The additional corridor
13 provides flexibility for shifting the ROW, as necessary,
14 to accommodate for potentially sensitive resources or
15 rough terrain. The CEC corridor is primarily 500 feet
16 wide where it parallels the existing infrastructure and
17 it widens on either end.

18 On the east it connects at the APS Switchyard,
19 and on the west it connects to the project substation, as
20 shown in the map right there.

21 CHMN STAFFORD: Quick question. So the
22 corridor to where you tie into the switchyard, is that
23 going to be -- is it a 500-foot-wide corridor or is it
24 that entire square up there, that triangle, I should say?

25 MR. HAZLE: The CEC corridor is the black

1 outlined polygon, and it includes this triangular portion
2 of Section 21 in the northeast.

3 CHMN STAFFORD: And I assume that's to
4 provide flexibility because there's three other
5 generators tying to the same switchyard, correct?

6 MR. HAZLE: Yes.

7 CHMN STAFFORD: All right. Thank you.

8 MEMBER KRYDER: Mr. Chairman?

9 CHMN STAFFORD: Member Kryder.

10 MEMBER KRYDER: One quick question to
11 Ms. Silver.

12 What kind of fencing is going to be put in
13 place here? I'm looking at the caring for the cattle who
14 try to find breakfast there each morning. Do you know
15 what sort of fencing will be involved?

16 MR. HAZLE: I can speak to that, Member
17 Kryder.

18 The transmission line itself will not have
19 a perimeter fence around the right-of-way.

20 MEMBER KRYDER: Okay.

21 MR. HAZLE: On the right-hand slide here,
22 we have a bit of a simplified map showing the project
23 boundary mainly coinciding with section boundaries on the
24 checkerboard.

25 MEMBER KRYDER: Uh-huh.

1 MR. HAZLE: What's important to understand
2 about the solar facility is that during its permitting
3 with Coconino County, the original developer worked
4 closely with Coconino County and the Game & Fish
5 Department to include wildlife movement corridors at the
6 corners of each of the private sections here. So we call
7 those a butterfly crossing.

8 MEMBER KRYDER: Describe it a little bit.

9 MR. HAZLE: Yeah.

10 A butterfly crossing is normally needed on
11 the adjacent sections of property to provide an easement
12 for access roads and collector circuits, just so that we
13 can actually cross between the private property sections
14 to connect the project together.

15 MEMBER KRYDER: In a residential area,
16 that's the utility thing in my backyard, where the
17 utilities pass through, that sort of a -- I mean, are we
18 talking about 20 feet wide or 200 feet wide or what are
19 we looking at?

20 MR. HAZLE: So normally a butterfly
21 crossing can be fairly narrow. So normally it would just
22 be, like, 5 acres on each adjacent section.

23 MEMBER KRYDER: On the corner?

24 MR. HAZLE: On the corners.

25 In this case, the butterfly crossings were

1 expanded to provide movement corridors for wildlife. It
2 was something that Game & Fish really pushed for in the
3 County permitting process.

4 Now, the wildlife movement corridors would
5 serve the same purpose for cattle. There will be no
6 solar panels on the state trust land sections here, so
7 cattle grazing will continue and will be accessible via
8 those movement corridors between the sections of private
9 property that will host the solar facilities.

10 MEMBER KRYDER: But the sectors that are
11 with panels will be fenced; is that correct?

12 MR. HAZLE: That's correct.

13 MEMBER KRYDER: Okay. And what sort of
14 fencing? I mean, back of the envelope, I don't --

15 MR. HAZLE: Yeah, I don't know the
16 specifications, but in the Coconino County entitlement
17 process, there was a requirement for what they call
18 wildlife-friendly fencing, which basically leaves a gap
19 at the bottom of the fence to, you know, facilitate
20 movement of smaller mammals.

21 My colleague, Mr. Brasier, could probably
22 explain that more eloquently than myself, but I think the
23 general concept is there's a gap at the bottom of the
24 fence that allows small critters to continue moving
25 through the area.

1 MEMBER KRYDER: And so these would be,
2 what, 8 feet and -- and razor wire on the top or --

3 MR. CHUA: Yeah, they're typically 6 feet
4 with a foot of barbed wire on top, three-strand,
5 typically, so we will adjust according to the
6 environmental requirements.

7 MEMBER KRYDER: And then the sections,
8 wildlife corridors that you said where the elk can get
9 through or the cattle can get through, as the case would
10 be.

11 Okay. And then around the proposed
12 switching station, what's the situation there?

13 MR. HAZLE: The project substation and the
14 switchyard, so project substation at the west end here,
15 and the switchyard at the northeast end, those will both
16 be fenced facilities as well.

17 MEMBER KRYDER: So the triangle up here on
18 the right-hand map would be fenced?

19 MR. HAZLE: Not the entire triangle. As we
20 discussed in the previous case, the switchyard footprint
21 will be smaller than this --

22 MEMBER KRYDER: Okay.

23 MR. HAZLE: -- entire triangle here.

24 MEMBER KRYDER: So it would be the
25 finalized switchyard, rather than the entire triangle?

1 MR. HAZLE: Correct.

2 MEMBER KRYDER: Okay.

3 MR. HAZLE: The entire triangle is included
4 in this case's corridor to provide routing flexibility
5 for the transmission line to make its way into that
6 switchyard which will have, you know, a few other
7 developers' access as well.

8 MEMBER KRYDER: Okay. Thank you very much
9 for that. Later I'd like somebody to talk with me, I saw
10 some pictures there about the stock tanks. And I'd like
11 to discuss that either later or now, whichever works best
12 for y'all.

13 MR. HAZLE: Yeah. We'll see those stock
14 tanks in the virtual route tour.

15 MEMBER KRYDER: Okay.

16 MR. HAZLE: And, you know, be happy to talk
17 about it in the land use section as well.

18 MEMBER KRYDER: That's probably a good
19 idea. Thanks, Dean.

20 MEMBER LITTLE: Mr. Chairman?

21 CHMN STAFFORD: Yes, Member Little.

22 MEMBER LITTLE: As long as we're looking at
23 this map, I'm curious why all of those sections that are
24 in gray, most of them are square, whatever, rectangular,
25 except the little piece down on the right-hand side. Why

1 the peninsula out on the end of that one, as well as to
2 the left of it, a little area that's cut out?

3 MR. HAZLE: Those cut-outs that you're
4 referring to, Member Little, are sort of exclusion zones
5 that are set up around aquatic features, so like river --
6 rivering [sic], washes, things of that nature.

7 MEMBER LITTLE: Okay. So it has nothing to
8 do with the private landowner not choosing to allow --

9 MR. HAZLE: It's more of a representation
10 of a buildable area than, like, a different landowner or
11 any other real estate considerations like that.

12 MEMBER LITTLE: Are there currently any
13 residences in that area?

14 MR. HAZLE: There are residences in the
15 community of Vail to the northwest.

16 MEMBER LITTLE: Right.

17 MR. HAZLE: Those are the closest
18 residences that we're aware of.

19 MEMBER LITTLE: Thank you.

20 CHMN STAFFORD: Did I hear you state
21 earlier that this project was originally commenced by a
22 different entity that was purchased by, I guess it wasn't
23 1886, it was Stellar, correct?

24 MR. LAND: I'll address that one, Chairman.

25 So we purchased this asset through a

1 purchase and sale agreement that was executed on
2 August 10th of 2022, from Clenera. At the time the
3 project was referenced as CO Bar L. After that, we
4 formed a project company called Turquoise Solar
5 originally.

6 After meeting with the Babbitts, they
7 demonstrated a strong preference for this name "1886
8 Solar Energy Station, LLC," which we ultimately converted
9 the project LLC to.

10 CHMN STAFFORD: Okay. And the checkerboard
11 design of the project, that was done prior to Stellar's
12 involvement, right?

13 MR. LAND: That's correct.

14 CHMN STAFFORD: Okay. And then -- and so
15 that was -- do you know if the prior developer negotiated
16 that setup with the Babbitt Ranch to -- it seems to me
17 that they did that deliberately to allow cattle to move
18 through some of those areas, as opposed to having it
19 be -- having it all those four sections there that they
20 didn't have to complete move around, then, correct?

21 MR. LAND: I'm highly confident that's the
22 case, they -- throughout this process, even predating us
23 when Clenera was the project owner, Babbitt Ranches has
24 been a very -- played a very active role in all
25 considerations around this project. So I'm highly

1 confident that was one of the considerations.

2 CHMN STAFFORD: Okay. Yeah, I just want to
3 make sure it wasn't designed that way to avoid having to
4 put anything on -- or putting less stuff on state trust
5 land, it was just a design to accommodate what the uses
6 of the land were for the ranchers, then, okay.

7 MEMBER LITTLE: Mr. Chairman?

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: As long as we're on this
10 subject, I'm curious whether anybody on the team knows
11 whether a 10-year plan was filed by the previous owners
12 with the Corporation Commission.

13 MR. HAZLE: I can't speak to the what
14 Clenera may or may not have done. I am aware that the
15 Clenera project that the portion of the Clenera project
16 that's still under development is sited close enough to
17 the switchyard that its interconnection is not
18 jurisdictional to the CEC process.

19 MEMBER LITTLE: The CEC process, but not
20 the 10-year plan process.

21 MR. ACKEN: Let me follow up on that.
22 Unfortunately, it is an artifact. You only have to file
23 a 10-year plan if you have a jurisdictional transmission
24 line. And they would not have had a jurisdictional
25 transmission line, and therefore, it's quite possible

1 they did not.

2 Now, I don't represent them. I don't if
3 that was their consideration. But the trigger for a
4 10-year plan is that you're planning to construct a
5 transmission line, as defined under 40-360, and Clenera
6 is not defining, is not building a jurisdictional
7 transmission line.

8 MEMBER LITTLE: Thank you.

9 MR. ACKEN: Thank you, Committee.

10 Q. Now, Ms. Silver, I'd like you to talk about the
11 purpose and need for this project, and you have unique
12 graphic on the right that the Committee is going to want
13 to understand. So when you go through it make sure you
14 explain the graph that's shown on slide 44.

15 A. (MS. SILVER) Yeah, definitely.

16 So the interconnection project is needed to
17 connect the proposed solar project to the regional
18 electric transmission grid. Adding solar to the grid
19 meets several objectives at the local, state, and federal
20 levels, including the need for additional solar energy
21 supplies.

22 The interconnection project will also support
23 the lead grow -- the load growth and peak demand
24 requirements needed in Arizona Public Service Company's
25 most recent integrated -- or outlined in their most

1 recent integrated resource plan for their 2023 IRP and
2 their 2023 request for proposals, or RFP, which solicited
3 the need for approximately 700 -- 700 megawatts of
4 renewable resources. These resources are needed to
5 provide reliability capacity to the -- to their peak
6 summer needs, which the solar project can provide.

7 And so that's what the -- the graph on the -- on
8 the right slide is referring to. So this is showing the
9 load demand for Arizona Public Service over the
10 12 months, on average, and so as you can see, the darker
11 areas are referring to more -- more load at that time.
12 And so from during the summer months for about six hours
13 from about 4:00 to 10:00, there is a need for more
14 capacity at that time, and that is what APS's RFP is
15 asking for, and so our project is meeting the preferred
16 project characteristics outlined in the RFP to provide
17 for -- to provide to Arizona Public Service, for the load
18 at that time.

19 And we are also -- we're also providing a
20 project that is within their preferred portfolio of
21 having it within their service territory, and also a
22 project that has a commercial operation date between 2026
23 and 2028, to be able to get them that load when it's
24 needed. So we submitted that 2023 RFP for the solar
25 project yesterday, and we are excited to hear back for

1 that.

2 The project will also provide economic benefits
3 including approximately 400 construction jobs at its
4 peak, and five full-time and five part-time permanent
5 jobs during operation. And, yeah, those are -- and we
6 also have tax benefits from the property owner for the
7 property going to the County and State.

8 MEMBER GOLD: Mr. Chairman?

9 CHMN STAFFORD: Yes, Member Gold.

10 MEMBER GOLD: Question for the panel. The
11 peak usage seems to be from 4:00 to 10:00, after sunset,
12 which is when we don't have a bright sun any longer
13 providing energy, which is the need for your storage
14 batteries, your lithium system. What is the capacity of
15 the lithium system again?

16 MS. SILVER: So 500 megawatts of battery,
17 and we are providing bids to the APS RFP for 400 -- or
18 sorry -- for a four-hour storage and six-hour. And the
19 six-hour would provide that 4:00 to 10:00 p.m. time frame
20 that is -- the power's needed.

21 MEMBER GOLD: And what security do you have
22 around your lithium battery systems?

23 MS. SILVER: I'll refer to Oliver for that.

24 MR. CHUA: Yeah, because they'd be tied in
25 line with the solar plant, so it's basically is the solar

1 plant, the BESS system, and then the substation, so they
2 would all be going through the same breaker system we
3 talked about.

4 MEMBER GOLD: Okay. And now
5 regarding -- thank you for that regarding the
6 electromagnetic pulse -- what about physical security?
7 Lithium burns, and it's very hard to put out a lithium
8 fire. What barriers do you have protecting your lithium
9 battery system?

10 MR. CHUA: Yeah, for sure.

11 So we're definitely talking to the industry
12 leaders, right, there are a few providers in the industry
13 right now that have, you know, very good liquid cool
14 systems in the containers in their solutions. So we're
15 definitely talking to those, you know, the top-tier
16 providers for that. And not to mention that, you know,
17 the BESS enclosure, the containers, you know, where the
18 BESS is actually going to be, that's probably going to be
19 a separately fenced enclosure as well.

20 MEMBER GOLD: Okay. So normally enclosures
21 are chain link fences or something similar to that. For
22 your lithium batteries would you be using some form of
23 concrete, something bullets can't go through?

24 MR. CHUA: We haven't considered that, but
25 we can.

1 MEMBER GOLD: Just a suggestion.

2 MR. CHUA: Yup.

3 MEMBER GOLD: I yield.

4 MR. ACKEN: Thank you, Chairman, Members of
5 the Committee.

6 Q. Mr. Chua, I'm going to turn to you next to talk
7 about the interconnection project design, specifically
8 the transmission structures.

9 A. (MR. CHUA) Yup.

10 So we are talking about a, as we mentioned,
11 about 4 1/2 to 5-mile gen-tie line overhead structure, so
12 we're -- we have two H-frame dead-end T-line structures.
13 We have two tapered, you know, single-pole dead-end
14 T-line structures, and 15 tapered single-pole tension
15 structures in between. So 19 totals structures with the
16 lines in between them, cables.

17 And, as mentioned before, these will originate
18 at the project substation and have the cables carried all
19 the way through the corridor, ultimately terminating at
20 the APS Switchyard.

21 Q. Thank you, Mr. Chua.

22 Ms. Silver, let's talk about the development
23 status for the project, including major permits and
24 authorizations.

25 A. (MS. SILVER) Yeah, so CR -- the CO Bar Solar

1 Complex, which includes the solar project and
2 interconnection project for 1886, received a Conditional
3 Use Permit from Coconino County in June 2022. The
4 approved permit was transferred to Stellar in the
5 acquisition in August 2022, when Stellar acquired the
6 project. We are here to receive the CEC approval.

7 And the other required permits for this project
8 are the Arizona State Land permit for the interconnection
9 project in which it goes over that Arizona state land,
10 which is seen as the blue squares in that diagram right
11 there, so that we are currently working on.

12 We had submitted that early July of this year,
13 and then we received -- or sorry -- Arizona State Land
14 Department has had their first meeting about it, and we
15 received feedback from them that we will receive an
16 approval for that in approximately six months. So we're
17 working through that process now. And then the last
18 requirement for permitting is the NEPA. And it is my
19 understanding that Reclamation will begin the process
20 once the System Impact Study is completed, and so we will
21 begin that. And we'll be speaking about that in a little
22 bit.

23 These three permits are the remaining major
24 discretionary permits required for the interconnection
25 project.

1 CHMN STAFFORD: Quick question. You said
2 that the Bureau of Reclamation will begin the NEPA proces
3 once the System Impact Study is completed. You're
4 referring to the System Impact Study that would be
5 completed by APS interconnecting utility, correct?

6 MS. SILVER: Yes.

7 CHMN STAFFORD: All right. Thank you.

8 MR. ACKEN: Okay. Thank you.

9 Q. We are going to shift now to present the virtual
10 tour. And for that we're going to go to Mr. Hazle, and
11 we may need a minute to set up the video.

12 A. (MR. HAZLE) This virtual route tour is a format
13 that the Committee is familiar with from past cases, it's
14 intended to give an overview of kind of the setting and
15 line design, surrounding features where projects are, you
16 know, more rural and, therefore, more difficult to have
17 an in-person route tour on. The Peaks team can go ahead
18 and play, and I'll ask them to pause where I would like
19 to provide more explanation.

20 Well, let's pause here just as an establishing
21 shot. Just right off the bat.

22 As Ms. Silver has explained in her testimony,
23 the gray areas are the sort of, you know, permitted
24 boundary of the solar project, as I explained earlier,
25 the actual solar facilities will fill a portion of this

1 grayed-out area, leaving space for wildlife movement
2 corridors where the private sections connect to state
3 trust land.

4 The blue shaded area is the CEC corridor that we
5 are requesting approval of in this CEC case. Of course,
6 the gen-tie will be located inside of that CEC corridor,
7 ultimately connecting up to the APS Switchyard.

8 I believe Member Kryder had an interest in stock
9 tanks used for the cattle grazing operations.

10 MEMBER KRYDER: Correct.

11 MR. HAZLE: I'd be happy to answer
12 questions you have related to those.

13 MEMBER KRYDER: I was looking for my notes
14 here. I guess I was listening, but anyway, where are
15 they located here on this map or one of these maps?

16 MR. HAZLE: These are stock tank features
17 here, north of the CEC corridor, and east of the solar
18 project area.

19 MEMBER KRYDER: And these are existent now?

20 MR. HAZLE: Yes.

21 MEMBER KRYDER: Okay. Any idea, is this on
22 private land or is this the state trust land, do you
23 know?

24 MR. HAZLE: These are -- this is a private
25 section of land right here.

1 MEMBER KRYDER: Okay. And so it would have
2 been built by Babbitt, or whoever is the landowner there?

3 MR. HAZLE: Correct.

4 MEMBER KRYDER: Probably?

5 Okay. We've had this, what is it 500 line
6 going -- kV transmission line going through, has there
7 been any stated problems of the cattle getting to the
8 stock tank vis- -vis the transmission line that's in
9 place already?

10 MR. HAZLE: The applicant has been working
11 very closely with the Babbitt family to site the
12 transmission line in a location that minimizes any
13 potential disruptions to their grazing operations. So
14 we're not aware of any stated concerns from the Babbitts
15 that the transmission line or its structures would, you
16 know, prevent the cattle from reaching these stock tanks
17 or prevent their, you know, ranchers from using them as
18 they see fit.

19 MEMBER KRYDER: And you have no stated
20 questions or concerns that have come from the rancher
21 that's involved there, so there's -- it's never come on
22 the radar screen, so to speak?

23 MR. HAZLE: That's correct. The Babbitts
24 are very supportive of this project, and the applicant's
25 moving in lock step with the managers of the ranch to

1 develop this project.

2 MEMBER KRYDER: We've got a great database
3 here because the 500kV is already going through, and if
4 it hasn't shown any problem, I think we could arguably
5 say that the new one would not cause a problem. And that
6 was where I was trying to drive the question, so just one
7 more time, clearly, no indication of any problem that
8 you've heard of?

9 MR. HAZLE: That's correct. I think your
10 characterization is reasonable that where the existing
11 transmission lines don't create an issue for cattle or
12 grazing, a new transmission line would not create a new
13 issue.

14 MEMBER KRYDER: Thank you very much.
15 That's been quite helpful.

16 MEMBER GOLD: Mr. Chairman?

17 CHMN STAFFORD: Yes, Member Gold.

18 MEMBER GOLD: This is just a question
19 because I'm curious, you don't have fences around these
20 transmission towers, do you?

21 MR. HAZLE: No.

22 MEMBER GOLD: Is there anything that stops
23 cattle from going under them?

24 MR. HAZLE: No.

25 MEMBER GOLD: So it becomes a moot point,

1 they don't stop anything?

2 MR. HAZLE: That's correct. That's
3 correct.

4 MEMBER GOLD: All right. Thank you.

5 CHMN STAFFORD: Has there been any thought
6 given to, like, potential cumulative effect of additional
7 500kV lines? I know the existing ones have been there
8 for decades without any ill effects, have there been any
9 studies or modeling done to see if an additional --
10 additional 500kV lines would have an impact?

11 MR. HAZLE: We did not do any cumulative
12 impact analysis for this application. You know, our
13 general belief about siting infrastructure adjacent to
14 existing facilities is that it sort of minimizes, you
15 know, the total environmental impacts by consolidating
16 like types of infrastructure. I don't know, Mr. Brasier,
17 do you have anything to add on transmission lines and
18 grazing in your professional experience on similar
19 projects?

20 MR. BRASIER: Yeah, it's difficult to speak
21 directly to that without any scientific literature in
22 front of me, but I would agree that generally wildlife
23 agencies' recommendation is to co-locate infrastructure
24 like this. So I assume they've considered the potential
25 impacts to wildlife movement or livestock when making

1 those recommendations.

2 CHMN STAFFORD: And that seems to be kind
3 of the conventional wisdom is, you know, site the
4 infrastructure, co-locate it, so it's not -- so it has a
5 smaller impact. I'm not aware of any literature or
6 studies that would indicate anything contrary to that. I
7 seem to recall somewhere someone raising it in the
8 application or letters from somebody about potential --
9 the potential for cumulative effects. But I'm not aware
10 of any studies or scientific literature that would
11 indicate that that is an issue for, you know,
12 transmission lines.

13 I just wanted to confirm, are you aware of
14 any studies or literature that would indicate anything
15 other than the conventional wisdom that it's best to site
16 infrastructure near other infrastructure?

17 MR. BRASIER: No, I understand the concern
18 with cumulative effects, it's something we often address
19 in NEPA. And there could be other considerations, such
20 as the total disturbance footprint across the landscape.
21 But as far as the co-location of transmission lines and
22 having that many parallel to each other, I don't see
23 that -- not aware of any literature that establishes that
24 as a potential risk to wildlife or livestock.

25 CHMN STAFFORD: All right. Thank you.

1 MEMBER GOLD: Mr. Chairman?

2 CHMN STAFFORD: Member Gold.

3 MEMBER GOLD: Question, just for
4 clarification, you have electromagnetic radiation coming
5 from the existing lines, you're going to have
6 electromagnetic radiation coming from the new lines.
7 When those waves come together, they'll either amplify or
8 cancel out the effects of the radiation. I don't know
9 what studies have been done when you're dealing with such
10 wide open spaces and animals that are wandering through
11 the area.

12 Mr. Land has experience with electronics
13 all around him for many years in a metal tube with
14 electronics all around; he doesn't seem to have any
15 harmful results from that. I personally don't see it as
16 an issue, unless anyone knows something I don't know.

17 MR. HAZLE: That's correct, Member Gold. I
18 don't have a citation in front of me, but there is not
19 conclusive scientific evidence that transmission lines
20 affect the, what we would call the fecundity or the
21 reproduction rate of cattle, you know, nothing
22 substantiated by peer-reviewed literature that we're
23 aware of.

24 MEMBER GOLD: Thank you.

25 MR. ACKEN: Thank you, Chairman, Members of

1 the Committee.

2 MR. HAZLE: The Peaks team, please proceed
3 with our tour.

4 So as is often the case with our route
5 tours we kind of, like, pan in to get a closer view of
6 the project substation. We'll tour our way down the line
7 toward the northeast, and then take a stop through each
8 of our photo simulations from the surrounding key
9 observation points. I think what -- yeah, this is the
10 project collection substation.

11 MEMBER KRYDER: Can you stop there for a
12 minute?

13 MR. HAZLE: Oh, please pause.

14 MEMBER KRYDER: Go ahead. I just like to
15 watch it while you're speaking it. I can't
16 multitask -- I can't seem to multitask very well, so
17 sometimes the -- if you stop like this while you're
18 talking, I'd appreciate it right here.

19 MR. HAZLE: Oh, okay.

20 This is a representative layout of the
21 project substation containing typical facilities that
22 you'd see in a -- in project substation.

23 Please continue.

24 Would you just pause for me quick here.

25 So on the right-hand side of the screen we

1 can see the simulated structures for the existing 500kV
2 Moenkopi-to-Cedar Mountain lines. North is to the
3 left-hand side of the screen, and this is the
4 interconnection project H-frame structure is where the
5 line proceeds straight ahead.

6 Please continue.

7 Let's pause here.

8 So the -- you can see just sort of in
9 looking down the barrel of the CEC corridor, this is the
10 triangular section in -- section of the corridor in
11 Section 21, with a representative layout of the APS
12 Switchyard. As you heard in testimony from the previous
13 case, the, you know, total footprint of that switchyard
14 has not been, you know, advanced to final engineering
15 yet. So, again, what we're showing here is
16 representative of a typical 500kV switchyard.

17 The Stellar interconnection project, you
18 know, sort of wraps around the west side of the corridor
19 and would, you know, enter the APS Switchyard from the
20 north.

21 Please continue.

22 MEMBER KRYDER: One question, please.

23 MR. HAZLE: Yes.

24 Pause, please.

25 MEMBER KRYDER: Yeah, thank you.

1 As you -- as you -- as this is built out
2 and you said the green line was not totally known because
3 of engineering reasons, this will all -- the green line
4 will be the fence, right, that's the 8-foot fence, or
5 whatever, with razor wire.

6 MR. CHUA: Yes, correct.

7 MEMBER KRYDER: Okay. Just trying to
8 conceptualize it. I'm slow -- I'm just trying to
9 conceptualize it. I'm slow on that, I recognize. So I
10 appreciate you taking time with me to be able to see
11 the -- the nice virtual view that you have.

12 Thanks very much. Go ahead.

13 MR. HAZLE: Please proceed.

14 From here we're going to take a stop
15 through each of our key observation points for the photo
16 simulations, the first of which is from the Arizona
17 Trail, which we heard quite a bit about in the previous
18 case. I could just explain quickly here. The line is
19 visible, sort of in the center to left portion of the
20 screen. We have sort of a zoomed in call-out in the
21 visual resources to show that it's rather difficult to
22 discern the new transmission facilities from the existing
23 towers out there.

24 Please continue.

25 CHMN STAFFORD: Yeah, because what you're

1 showing there that's the -- what I'm seeing mostly is the
2 existing line, correct, those type of structures, because
3 the ones you're proposing is a different type of
4 structure?

5 MR. HAZLE: That's correct. Yeah, we'll
6 have a zoom-in on the visual testimony that will
7 illustrate that better.

8 CHMN STAFFORD: Okay.

9 MR. HAZLE: I think one important feature
10 to note is that the previous case gen-tie cross directly
11 over the Arizona Trail. This is the closest point
12 between the Arizona Trail and the interconnection
13 project; it's about 3 1/2 miles.

14 CHMN STAFFORD: Thank you.

15 MR. HAZLE: So much -- much less of a
16 consideration here.

17 Please proceed.

18 Key observation point 2 is located off of
19 U.S. Route 180. Again, you can see the existing
20 transmission facilities kind of along the horizon where
21 there's skylined here on the left-hand side. The extent
22 of the gen-tie for our purposes is more in this central
23 portion between the two hills.

24 Again, with the new structure, it's
25 difficult to discern from the highway and, of course, as

1 a caveat, I'll provide more detail in the visual
2 testimony.

3 Please proceed.

4 Our final observation point is from the
5 community of Vail, sometimes referred to as "Grand Canyon
6 Junction," it's kind of the closest residential area to
7 the interconnection project, and we wanted to be sure and
8 capture, you know, potential views from that area, just
9 recognizing that it's the closest, you know, permanent
10 established residential area. You can see the area
11 between the interconnection project and Vail is quite
12 rural. There's a large area out here that was subdivided
13 and not quite developed.

14 Key observation point 1 here, I think the
15 main take-away from Vail is that the transmission line is
16 just not even visible at this distance. In the visual
17 resources testimony, we have sort of a highlight showing
18 the extent of the line, sort of like where it would be on
19 the horizon if it were visible.

20 CHMN STAFFORD: I don't even see the
21 existing line.

22 MR. HAZLE: That's correct. Sometimes we
23 include key observation points from areas that we want to
24 verify and show evidence for as not having a visual
25 impact, and then I guess the flip side of that is, you

1 know, sometimes we hear feedback, like, well, where's
2 your line in the simulation, so --

3 CHMN STAFFORD: Yes, I think --

4 MR. HAZLE: -- that balancing act.

5 CHMN STAFFORD: But I think it's always a
6 good policy to show a key observation point from the
7 nearest residence. So the fact that the nearest
8 residents can't even see the existing line, minimizes the
9 impact of this project further.

10 MR. HAZLE: We think so.

11 MEMBER KRYDER: How far is this from -- how
12 far is this key observation point from the project or
13 from the line, back of the envelope?

14 MR. HAZLE: Back of the envelope, about six
15 miles.

16 MEMBER KRYDER: Okay. And what's the
17 structure that I seem to see -- oh, go ahead, Dean.

18 MR. HAZLE: 10.7 miles.

19 MEMBER KRYDER: 10.7, okay.

20 MR. HAZLE: Excuse me.

21 MEMBER KRYDER: What's the structure kind
22 of in the middle of the picture here?

23 MR. HAZLE: That looks like sort of an
24 out-facility with a residential property here.

25 MEMBER KRYDER: Okay. So there is a

1 residential property between here and the -- and the
2 project, then?

3 MR. HAZLE: Yeah, our -- our policy is to,
4 you know, we don't trespass on private property when we
5 take these photographs and try and be respectful of
6 people's homes while trying to capture the most relevant
7 photography that we can for our analysis.

8 MEMBER KRYDER: Okay. So from that
9 structure that's pretty visible, to the -- to 10:00, to
10 9:30 to its left, is that another house that I see there?
11 A little bit to the right now.

12 MR. HAZLE: This one?

13 MEMBER KRYDER: No, that one, yeah, is that
14 a house?

15 MR. HAZLE: Looks like it could be.

16 MEMBER KRYDER: And what about another two
17 inches to the right?

18 MR. HAZLE: Here?

19 MEMBER KRYDER: Right -- little bit more,
20 right there. Is that a property?

21 MR. HAZLE: Looks like it could be.

22 MEMBER KRYDER: Okay. So what are the
23 nearest dwellings to the project distancewise?

24 MR. HAZLE: I can confirm how much closer
25 these structures are to the project on break. I don't

1 have that information at my fingertips. You know, when
2 we develop our visual analysis, we endeavor to select
3 representative locations, you know, if we went down the
4 path of sort of having an observation point at each
5 residence, that would be prohibitive.

6 MEMBER KRYDER: Well, there's a lot of
7 issues there. Sure. And I understand that. I don't
8 need specific distances, but I was really looking at
9 what's the nearest residence to the -- the corridor,
10 that's -- I would like to know that.

11 MR. HAZLE: Gotcha.

12 The nearest residence to the
13 interconnection project is the sort of ranch-hand camp on
14 the CO Bar Ranch, I don't think it's permanently
15 occupied, but that would be to the southeast of the
16 switchyard -- APS Switchyard.

17 MEMBER KRYDER: That's the one we talked
18 about yesterday?

19 MR. HAZLE: Correct.

20 MEMBER KRYDER: Okay. Okay. Thank you
21 very much.

22 MEMBER LITTLE: Mr. Chairman?

23 CHMN STAFFORD: Yes, Member Little.

24 MEMBER LITTLE: Mr. Hazle, maybe the
25 structures, I don't want to call them buildings, but the

1 structures that I just saw real quickly when previous, as
2 we were coming through the area where the substation is,
3 maybe that is the -- the ranch-hand facility, but I'm
4 wondering if we could go back to that.

5 MR. HAZLE: Oh, can the Peaks team back up
6 to --

7 MEMBER LITTLE: Now go forward. A little
8 more. Hmm. It looked like it was one of those insets
9 into the solar facility areas. It looked like there were
10 some structures there. Maybe you could just confirm
11 whether there are any structures at all that are -- not
12 even residences, but any structures at all that are
13 closer to the transmission line.

14 MR. HAZLE: Absolutely.

15 MEMBER LITTLE: That will be sufficient for
16 me. Thank you.

17 MR. HAZLE: Will do.

18 Please continue.

19 From here our virtual tour is going to sort
20 of just pan back out to the initial view, so this will
21 largely conclude our route tour and orientation before we
22 get into the environmental testimony.

23 MEMBER LITTLE: Right down there.

24 MR. HAZLE: I see what you mean. I'll --
25 I'll look into that. I'm almost positive it's not a

1 residential structure, but we can confirm.

2 MEMBER LITTLE: Thank you.

3 CHMN STAFFORD: All right. This seems like
4 a good time for a break. We've been going for about
5 90 minutes now. I'm sure the court reporter could use
6 one. I think the rest of us could as well.

7 Let's take a 10-minute recess.

8 (Recessed from 11:32 a.m. until 11:51 a.m.)

9 CHMN STAFFORD: Let's go back on the
10 record.

11 Mr. Acken, please continue.

12 MR. ACKEN: Thank you, Chairman, Members of
13 the Committee. We are back from break. We just finished
14 the presentation of the virtual tour, and we are going to
15 shift into the next topic of our testimony, which is the
16 public outreach. Mr. Hazle's going to cover this. And
17 we're going to cover it in two parts. We're going to
18 talk about public out -- excuse me -- public outreach
19 that predated the CEC application filing. And then,
20 again, you know, more specific public notice that was
21 done, both as required by law or procedural order and as
22 supplementary done. If you want additional details, the
23 public outreach summary exhibit is marked for
24 identification as SES-4.

25 Q. So, Mr. Hazle, let's start just with a general

1 overview of the goals and activities for the public
2 outreach process.

3 A. (MR. HAZLE) The goal of our public outreach was
4 to introduce the project to the surrounding community,
5 including property owners, key regulatory stakeholders,
6 and, you know, a list of relevant Native American tribes
7 in the vicinity to provide them information about the
8 project and also provide the opportunity for individuals
9 to pass along direct feedback to the project team or ask
10 questions to the project team.

11 To achieve this goal, we use a variety of
12 outreach methods that I'll cover in more detail, but are
13 summarized on the left-hand screen. These include both
14 print and digital media, and culminate in an in-person
15 open house, which we held here in Flagstaff.

16 Q. How were members of the public able to contact
17 the project team?

18 A. (MR. HAZLE) When we kicked off the public
19 involvement process, we established a dedicated project
20 e-mail address and a dedicated phone number. What's nice
21 about setting up a dedicated line and e-mail account is
22 that multiple members of the project team can monitor
23 those accounts at all times, so that in the event that
24 someone left a voicemail on the phone number, I would get
25 notified, and at least two of my colleagues would get

1 notified in case somebody was out on vacation. Just
2 helps us keep things covered for more immediate replies.
3 Same is true for the e-mail address.

4 Additionally, we used SWCA here as a local
5 mailing address for anyone who was interested in
6 submitting written comments to the project team. And,
7 lastly, we set up a project website, which was dedicated
8 to this project and is sort of a central repository for
9 us to post new current information about the project, its
10 outreach, opportunities to comment, things of that
11 nature.

12 The project website does include a comment
13 submittal form that would allow someone to just submit a
14 comment through the website. When that happens, their
15 comment is directed through this e-mail address to my
16 inbox. We included the website link, e-mail address,
17 phone number, and mailing address in our public outreach
18 newsletters and newspaper advertisements. And the social
19 media advertisements that we ran for this project were
20 linked to the project website, which is intended to
21 provide, you know, further detail on the project itself.

22 Q. How did you notify the public about the open
23 house?

24 A. (MR. HAZLE) The principle means of our outreach
25 was putting together a direct mailing for the project.

1 This letter includes a description of the project, it
2 included a map showing the limits of the solar project
3 and the transmission line. Of course, the contact
4 information to the project team, which I just described
5 in the last remarks. And, of course, the date, time, and
6 place of the open house itself.

7 We sent this outreach letter to property owners
8 within a mile of the project, key regulatory
9 stakeholders, the South Rim Property Owners Association,
10 the Arizona Trail Association, regulatory agencies,
11 including, well, I guess, they're not a regulatory
12 agency, but Grand Canyon National Park was invited to the
13 open house, as well as the Coconino and Kaibab National
14 Forest, U.S. Fish & Wildlife Service, Arizona Game & Fish
15 Department, the State Land Department, and several key
16 contacts at Coconino County.

17 Tribal contacts for our outreach letter included
18 the Navajo Nation, Hopi, Hualapai Tribe -- Hopi and
19 Hualapai Tribes, Havasupai Tribes, among others in the
20 state of Arizona. Additionally, we ran a newspaper
21 advertisement for the open house in the Arizona Daily
22 Sun, circulating that on two dates leading up to the open
23 house itself.

24 And we ran a Facebook advertisement that was
25 targeted to the area around the project with the

1 screenshot of the Facebook ad here on the right-hand
2 screen. Again, linking individuals who are interested to
3 the project website, and directly including the open
4 house event details in the Facebook ad itself.

5 MEMBER LITTLE: Mr. Chairman?

6 CHMN STAFFORD: Yes, Member Little?

7 MEMBER LITTLE: Just to clarify, there are
8 no property owners within a mile, aside from the ranch,
9 right?

10 MR. HAZLE: State land and the Babbitts.

11 MEMBER LITTLE: Oh, thank you. Okay.

12 MR. HAZLE: Facebook advertising metrics
13 indicate that we reached approximately 2,100 unique
14 accounts with this advertisement, it was clicked on eight
15 times, and did not have any other forms of engagement.

16 BY MR. ACKEN:

17 Q. Describe the open house. It looks like familiar
18 carpet to another open house we saw?

19 A. (MR. HAZLE) That's right. This in-person open
20 house was held at the Doubletree Hotel here in Flagstaff
21 on Route 66. That's Mr. Land there in the photo. He
22 attended in person as a representative of Stellar. And,
23 you know, as we typically do for open houses, we had a
24 number of poster boards with information about both the
25 solar project and the transmission line, what permits are

1 required, what the project entails generally. And this
2 format just sort of allows interested members of the
3 public to peruse at their leisure and then ask either
4 SWCA or Stellar questions directly. This open house was
5 held in the evening from 5:30 to 7:30, you know,
6 hopefully to be as convenient as possible for members of
7 the public to attend. We did have four public members
8 attend. You know, for full disclosure two of those
9 attendees were, you know, representatives of Babbitt
10 Ranches, Mr. Cordasco attended with another one of his
11 colleagues, and then we had a staffer for Supervisor
12 Begay from Coconino County attend as well.

13 So that was the in-person open house held in
14 mid-June ahead of filing the CEC application.

15 Q. Next, talk about the public comments you've
16 received as a result of the outreach efforts that you've
17 described.

18 A. (MR. HAZLE) We've received a handful of comments
19 on the project that were generated by our outreach
20 activities, those are shown here on the left-hand screen.
21 First one, you know, was a supportive comment from
22 Babbitt Ranches provided at the open house, no reply
23 necessary from the applicant. The San Carlos Apache
24 Tribe did reply to our outreach letter simply noting that
25 they had no concerns with the project. If any of the

1 committee members were sort of confused by the form of
2 their reply, they provided their reply on a Section 106
3 consultation form, and just to be clear, we haven't gone
4 through formal Section 106 consultation at this time.
5 That will happen during the NEPA process, but we
6 understand sometimes the tribes just use this form as a
7 general means of providing a comment on a project.

8 Additionally, we received a comment from a
9 property owner who was interested in knowing whether they
10 could receive electric service from the project's
11 transmission line. We replied to that project -- or
12 excuse me -- replied to that comment explaining that this
13 is a transmission level voltage line which, you know, you
14 can't provide a direct residential tap to, it would have
15 to come through the distribution network.

16 We did refer them to a page on Arizona Public
17 Service's website about establishing new customer
18 connections. We offered to speak with that individual
19 and did not have any reply to our offer.

20 Finally, we had a comment from Grand Canyon
21 National Park that came in through our website, and their
22 principle question was, "Is this project going to be
23 visible from the South Rim?" Our answer for this is
24 straightforward, "No, the project will not be visible
25 from the South Rim." We offered to set up a meeting with

1 an individual from Grand Canyon National Park who
2 provided that comment, and we did not have any reply to
3 our offer.

4 CHMN STAFFORD: Now, when you say the project
5 won't be visible from the South Rim, you're talking about
6 the solar array and the transmission line, correct?

7 MR. HAZLE: That's correct. And we
8 clarified that in the reply, and actually, to be clear,
9 the Grand Canyon's comment specifically asked if the
10 solar facilities or the transmission line would be
11 visible, and we replied that neither would be.

12 CHMN STAFFORD: All right. Thank you.

13 MEMBER KRYDER: How far is it to the South
14 Rim, back of the envelope?

15 MR. HAZLE: I think it's in the vicinity of
16 50 miles.

17 MEMBER KRYDER: That's what I thought too.
18 I thought pretty good eyesight.

19 Thanks.

20 BY MR. ACKEN:

21 Q. Thank you, Mr. Hazle.

22 And next, let's talk about the public notice
23 conducted specifically for this hearing. Including the
24 statutorily required newspaper and certified mail
25 notices, as well as the additional notices that were

1 provided?

2 A. (MR. HAZLE) We filed the CEC application on
3 July 24, 2023, which, of course, kicks off the official
4 public notice process for these hearings here today. The
5 first notice requirement that we tackle as a project team
6 is meeting the two within 10 rule, which is to publish
7 the full Notice of Hearing in a newspaper of general
8 circulation two times within 10 days of filing.

9 We met that requirement by publishing on July 29
10 and August 1st in the Arizona Daily Sun, which is the
11 newspaper of record for Coconino County, and the main
12 newspaper in the Flagstaff area. A screenshot of the
13 notice itself is shown on the right-hand screen, along
14 with an affidavit of publication. Both the tear sheet
15 and the affidavit are included in the public involvement
16 summary exhibit.

17 Of course, the Notice of Hearing itself
18 identified public viewing locations where interested
19 members of the public could go in person and look through
20 an actual copy of the binder, the application binder, if
21 they were interested in doing so. We coordinated to have
22 copies of the application available at the main Flagstaff
23 Coconino County Library in downtown Flagstaff, and also
24 at the East Flagstaff Library on the other side of town.
25 The Flagstaff Library confirmed receipt of our

1 application copies on July 31st. That e-mail
2 confirmation is shown on the right-hand screen here.

3 The next prescriptive step is to notify areas of
4 affected jurisdictions, as defined by statute. In this
5 case, those areas of affected jurisdiction are Coconino
6 County and Arizona State Land Department. Mr. Acken
7 provided a notice of filing to ACC docket control, and
8 docket control provides that notice to the affected
9 jurisdictions by certified mail.

10 Certified mail receipts were posted to the
11 docket for this case and are duplicated in the public
12 involvement summary we have here today. So that
13 requirement was met by July 31st. We also posted Public
14 Notice signs at two key locations, the first of which is
15 right along U.S. 180, with the goal of, you know, having
16 it at the closest point to sort of a main travel route
17 along the project. And then the second location is on
18 the Arizona Trail, with the only added caveat that the
19 Arizona Trail is about 3 1/2 miles from the project in
20 this case. Nevertheless, it felt like a relevant
21 location, and we put up a sign there.

22 The signs themselves include sort of a
23 simplified black-and-white version of the map, hearing
24 date, time, and place, the docket number, and the project
25 website. Those were installed by August 16, which meets

1 the deadline of having the signs installed at least
2 20 days ahead of the hearings.

3 Although it's not, you know, required in a
4 prescriptive sense, we did send out a prehearing
5 newsletter to the same mailing list that we used for the
6 open house, newsletters screenshotted here on the
7 right-hand side basically lets the same group of people
8 know -- the same group of people that we invited to the
9 open house, let them know that CEC hearings are going to
10 occur in Flagstaff on, you know, September 7 and 8, with
11 a link to the project website and a note saying that
12 remote participation links are available or will be
13 available on the project website.

14 MEMBER KRYDER: Mr. Chairman?

15 CHMN STAFFORD: Yes, Member Kryder.

16 MEMBER KRYDER: Perhaps I'm getting ahead
17 of the game, and if so, please shut me down. I notice
18 that there are a couple of public residents back in the
19 gallery here. My question goes toward when you make
20 notices, and I would like, if it's acceptable to the
21 Chairman, to ask the guests, "How were you notified? Let
22 me know how you heard about us."

23 MR. HAZLE: The guests in the back of the
24 room are my colleagues who helped me develop the
25 application at various points.

1 MEMBER KRYDER: In that case, you're on
2 payroll, forget about it. Sorry.

3 MR. HAZLE: That's all right.

4 MR. ACKEN: Member Kryder, you're like the
5 fourth or fifth person that's had that same question. I
6 was one of them as well.

7 MEMBER KRYDER: Thank you very much.

8 MR. HAZLE: At the project open house, I
9 often do ask that of attendees, you know, because I share
10 the same curiosity, you know, like which -- which --
11 which outreach method got you in the room today, and
12 typically, it's the Facebook advertisement and the direct
13 mailer seem to be the most effective at bringing people
14 in, just in my personal experience.

15 MEMBER KRYDER: In the hearing that we had
16 the past two days, the question was brought up are things
17 like the classified ad in the newspaper of anything
18 except an expense to you? And, obviously, we can put
19 things on X or Facebook, we can do a variety of things,
20 but who reads that stuff? And, you know, the -- the
21 statute was written, what, at least more than 10 years
22 ago, and --

23 MEMBER LITTLE: 50.

24 CHMN STAFFORD: 50.

25 MEMBER KRYDER: Yeah, I know -- I know it

1 was 50, but I was giving it the benefit of the doubt.
2 What do we do looking at the next 10 or 50 years? I know
3 that's not a part of your presentation, but I note you
4 guys are elbows into this stuff, what -- what would be an
5 effective way, in your opinions, in your experience, of
6 reaching people, because there must be somebody out there
7 who's got a bone to pick with you that's talking over
8 coffee or something, and they ought to get a chance to be
9 heard. Okay.

10 MR. HAZLE: I think the Commission has an
11 open policy docket right now, looking at ways to update
12 the administrative rules, you know, our -- part of our
13 outreach strategy is to use multiple means of
14 communication to try and capture a wide audience. So we
15 do use, you know, very specific and targeted means of
16 communication, like a direct mailer to property owners.
17 You know, and often those more targeted direct
18 communications of more information, like a full letter.
19 And then as we step out to a wider audience, we often
20 have a more general approach.

21 So the wider audience would be the Arizona
22 Daily Sun newspaper. You know, I always look up the
23 circulation of the newspapers that I run ads in, has a,
24 you know, daily print circulation of about 30 -- excuse
25 me -- 6,500 readers, and I believe nearly 225,000 online

1 readers.

2 So, you know, we do try to cast a broad net
3 and, you know, the -- let the chips fall where they may
4 after conducting that outreach.

5 MEMBER KRYDER: Thank you very much. I
6 appreciate your serious attempts to get at that question.
7 And I know that it is a troublesome sort of thing. I've
8 sat, at one point, at a similar desk, and how do you find
9 anybody until they come in and throw eggs at you?

10 MEMBER LITTLE: Mr. Chairman?

11 CHMN STAFFORD: Yes, Member Little.

12 MEMBER LITTLE: Perhaps this is the
13 appropriate time for me to beat my horse. Which is I
14 would just like to state for the record that, you know,
15 you guys did everything you were required to do and more,
16 and I appreciate that also. But in these rural areas, I
17 would -- I would really like to see applicants extend the
18 breadth of the -- the -- what do you call it? The
19 Facebook and those kinds of outreach to include areas
20 that -- the towns that are surround the area not just the
21 immediate area.

22 Thank you.

23 CHMN STAFFORD: I had a follow-up question.
24 What did you say that the paper readership was compared
25 to the online readership? Was it -- did I hear

1 6,000-something for the paper readership and then, like,
2 100,000-something for the online viewing?

3 MR. HAZLE: That's correct.

4 CHMN STAFFORD: And what is the cost
5 difference between, say, an online ad that would reach at
6 least 6,000 viewers, as compared to a single publication
7 expense?

8 MR. HAZLE: I don't have those numbers at
9 my fingertips. A lot of times when I publish in
10 newspapers you get both, you know, it runs in the online
11 edition and it also runs in the print edition. I usually
12 confirm that it runs in the print edition since
13 that's --

14 CHMN STAFFORD: A requirement.

15 MR. HAZLE: -- what the statute gets at.

16 CHMN STAFFORD: Right. But the -- so when
17 you do the online advertisement, is there -- you're able
18 to track how many people actually clicked on it and
19 viewed it, right?

20 MR. HAZLE: On Facebook, yes. And I will
21 say the Facebook ads are extremely cost-effective
22 compared to newspaper -- even just a newspaper ad, I
23 mean, certainly compared to running an ad in the Arizona
24 Republic, which can be thousands of dollars. Arizona
25 Daily Sun is more reasonable; I think those notices were

1 in the hundreds of dollars. Facebook, you can reach
2 thousands of people at \$10 a day. And you can have
3 confidence that those people are in the vicinity of your
4 project rather than, you know, wherever the newspaper is
5 circulating.

6 CHMN STAFFORD: Thank you.

7 MR. ACKEN: Thank you, Chairman, Members of
8 the Committee.

9 Q. A couple of follow-up questions on that line of
10 questioning. One, can you clarify again the online
11 circulation for the Arizona Daily Star [sic], because
12 I've heard a couple different numbers, and I want to make
13 sure we're precise?

14 A. (MR. HAZLE) The public involvement exhibit,
15 SES-4, on page 2, has some further information about our
16 newspaper advertisements. In that exhibit we state the
17 Arizona Daily Sun estimates it has 225,000 unique website
18 users per month. And that's information that the Daily
19 Sun provided to me.

20 Q. Okay. Thank you.

21 And then I want to follow up on Member Kryder's
22 question or line of questioning, do you approach the
23 public outreach process the same, whether a project is
24 located in town or in a rural area?

25 A. (MR. HAZLE) We tailor our public involvement to

1 the specifics of each project. You know, certainly, just
2 at a broad level if it's rural versus urban or suburban,
3 but then also, you know, where -- where in the permitting
4 process is the project, is this the first opportunity the
5 public has had to learn about a project? Have they seen
6 it before in a County permitting? Those are all things
7 we take into account when we're doing that initial round
8 of public outreach for the open house.

9 Obviously, the Notice of Hearing is prescriptive
10 and we meet those requirements. But where we have more
11 latitude in the initial phase, we take a lot of unique
12 project considerations into account.

13 Q. And would you agree with me that, generally
14 speaking, if you have a project near a residential area,
15 you're more likely to receive comments than a project
16 that's in a very remote rural area?

17 A. (MR. HAZLE) Yes.

18 Q. Thank you.

19 Now I'm going to turn to -- we are going to turn
20 to the last portion of our direct case for this panel,
21 which is SWCA's environmental resource analysis. So
22 again, Mr. Hazle, if you would, please summarize the
23 analyses you conducted in support of the application.

24 A. (MR. HAZLE) SWCA prepared the CEC application
25 and each of the exhibits contained therein. The

1 environmental compatibility primarily focuses
2 on -- excuse me -- Exhibits A through J of the CEC
3 application. I'll cover land use, visual, cultural, and
4 noise before offering my global opinion on the
5 environmental compatibility. Mr. Brasier will cover
6 biological resources and recreation in his testimony.

7 Q. Before we hop into the discussion of the
8 specific resources, identify the study area that you
9 used. Sometimes we talk about the study area and some
10 of the maps might show a study area, although not
11 necessarily these, for how you define the area in which
12 you're going to evaluate resources.

13 A. (MR. HAZLE) In this case, we used a one-mile
14 study area as sort of the starting point baseline for our
15 resource analyses, a one-mile study area, in this case
16 was sufficient to capture sort of the variety of
17 landscapes. Again, the study area is an area or is a
18 topic that can vary by project, and where there's
19 different or unique settings in the area of the project
20 we can sort of expand that study area to capture it. In
21 this instance, one mile is sufficient to capture the
22 surrounding area.

23 Q. Describe land jurisdiction and ownership in the
24 vicinity of the project.

25 A. (MR. HAZLE) As Ms. Silver testified earlier,

1 both the solar project and the interconnection gen-tie
2 are in unincorporated Coconino County. So land use
3 entitlements lie with the County Planning and Zoning
4 Commission and the County Board of Supervisors. The
5 ownership of the project area, again, is the checkerboard
6 of state trust parcels and private property. With the
7 private property being owned by the Babbitts or Babbitt
8 Ranches.

9 Just by area, this CEC corridor which, again, is
10 the black polygon, solid black outlined polygon here is
11 about 72 percent private property, 28 percent Arizona
12 State Trust Land. You can see kind of a broader area on
13 the right-hand screen here, the light green is the Kaibab
14 National Forest, on the north and south side of the CO
15 Bar Ranch; dark green is the Coconino National Forest;
16 blue, of course, is state trust; and the orange is the
17 Navajo Nation. I believe the nearest point between the
18 interconnection project and the Navajo Nation is about
19 6.8 miles.

20 Q. What are the existing land uses in the area?

21 A. (MR. HAZLE) The existing land use in the
22 vicinity of the project is primarily grazing. So, again,
23 it's an active cattle ranch managed by the Babbitts. The
24 next most prominent land use is utilities, so there's the
25 existing transmission corridor, which we've spoken about,

1 which is immediately south of the planned transmission
2 line. And then there's a number of other neighboring
3 renewable energy developments that are in various phases
4 of planning and construction. So, I guess, you know, at
5 least one of those projects is under construction
6 already, maybe in the transition to an existing land use
7 from a planned land use.

8 The Coconino County Zoning District for this
9 area is the general designation. Coconino County has the
10 general land use -- or excuse me -- general zoning
11 district for portions of the county that are rural and
12 not specifically designated for other specific uses.

13 A solar energy facility and its generation-tie
14 line are allowed uses in the general zoning district
15 through the County's Conditional Use Permit process.
16 And, again, as Ms. Silver testified, this project has
17 received its County entitlements from Coconino County as
18 part of the prior developer's efforts in getting the
19 project underway. When Stellar acquired the 1886 portion
20 of that development, those CUP approvals were transferred
21 to Stellar as part of that acquisition.

22 Q. Describe whether the recently designated
23 national monument will have any effect on the project and
24 vice versa?

25 A. (MR. HAZLE) The recent designation of the

1 ancestral footprints of the Grand Canyon National
2 Monument is a topic that both the applicant and SWCA are
3 tracking closely. The national monument, at least in
4 this area, consists of a portion of the Kaibab National
5 Forest that's north of the CO Bar Ranch. National
6 monument designation was made on August 8th, and I think
7 what's, you know, important to understand in this case
8 is, you know, the distance between the monument and the
9 interconnection project is greater than it was for the
10 previous case. This distance from the APS Switchyard up
11 to the National Monument is approximately 8.2 miles.
12 Furthermore, with the low visual profile of solar
13 facilities, it's unlikely that the solar project would be
14 visible from locations in the national monument.

15 The federal government has not started the
16 process of creating a Monument Management Plan, that's a
17 process that can take a very long time to sort of develop
18 and, you know, move through its formal approval
19 processes. The, you know, this will be a multi-agency
20 endeavor for the federal government to develop a Monument
21 Management Plan, but once it is issued, that document
22 will contain the specific objectives and priorities for
23 using the recently designated monument.

24 Q. Next, please describe Coconino County's plans
25 for future developments in the area.

1 A. (MR. HAZLE) The primary planning document that
2 we reviewed for assessing planned land use in the
3 vicinity of the project was the 2015 Coconino County
4 Comprehensive Plan. As is the case with every county in
5 Arizona, the comprehensive plan is a policy document that
6 guides the County's leadership in how it wants to develop
7 the unincorporated areas of the project, or excuse me, of
8 the county.

9 Comprehensive plans can include things like area
10 plans that have more specific policies or objectives or
11 focused areas of the county. In this case, for the
12 interconnection project in this area of Coconino County,
13 it is not inside of an area plan, and the main land use
14 prescription for this area is ranchland uses. The
15 County's overarching goal for ranchland uses is to
16 conserve working ranches, unfragmented landscapes and the
17 county's rural character.

18 As I previously mentioned, the applicant is in
19 lockstep with the Babbitt family in siting and developing
20 this project. The planned transmission line will be
21 immediately adjacent to an existing transmission
22 corridor, which will consolidate electrical
23 infrastructure and minimize its related environmental
24 impacts.

25 So, overall, the interconnection project is

1 consistent with that overarching planning objective of
2 the County to conserve its ranchlands. Furthermore, the
3 comprehensive plan includes several policies related to
4 energy, including a policy that reliable, clean energy is
5 critical to the health, safety, and welfare of residents
6 in Coconino County. This project clearly meets that
7 objective as a renewable energy project inside of the
8 county.

9 And, finally, this project does not require any
10 comprehensive plan amendment or zone change to permit or
11 develop. So on many accounts, the interconnection
12 project is consistent with Coconino County's
13 comprehensive plan, which is the County's principal
14 planning document for long-range planning.

15 Q. And further to that point, just to confirm,
16 Ms. Silver testified that the project actually has every
17 County entitlement it needs for development; is that
18 correct?

19 A. (MS. SILVER) Yes, that's correct.

20 Q. Thank you.

21 So, as the Committee knows, one of the things we
22 need to do in Exhibit H to the application is identify
23 the existing plans of state, local government, and
24 private entities for other developments in the vicinity
25 of the proposed route. This is the Exhibit H requirement

1 that you'll hear us refer to.

2 Summarize again for the Committee in this
3 hearing what existing plans you found?

4 A. (MR. HAZLE) With respect to plans for private
5 development, we're aware of, you know, at least three
6 other renewable energy developments that are all being
7 planned or constructed on the CO Bar Ranch in the
8 vicinity of the 1886 Solar Energy Station.

9 So, you know, starting close to U.S. 180 from
10 the west and moving east, there is the CO Bar Solar
11 Complex; that project has received its County
12 entitlements, as we explained earlier, and is sort of in
13 the immediate vicinity of the 1886 project. Moving to
14 the east again is a project referred to as the Babbitt
15 Ranch Energy Center, that project contains both wind and
16 solar facilities and is under construction presently.

17 Finally, farther to the west yet, or excuse me,
18 farther to the east is the Forged Ethic Wind Energy
19 project, which, you know, kind of sits in this corner by
20 the Navajo Nation and up to the Kaibab National Forest
21 there. All three of those projects are interconnecting
22 to the same APS Switchyard as the 1886 interconnection
23 project is. Although all of these projects share common
24 landowners in the Babbitts and Arizona State Trust,
25 Stellar is only involved and is only developing the 1886

1 project.

2 To identify plans of the state and local
3 governments, we send out a direct mailing simply asking
4 our sort of public stakeholder contact list, "Are you
5 aware of any plans for development in the area?" We
6 often refer to that as our Exhibit H letter and it is a
7 stand-alone communication from the open house outreach
8 and public notice outreach that I previously described.
9 Those letters were mailed on June 2nd.

10 The entities we included in that outreach letter
11 are identified here on the right-hand side, and again,
12 include, you know, a comprehensive list of regulatory
13 agencies, national forest, Grand Canyon National Park and
14 Native American tribes. We received one letter in reply
15 to the Exhibit H outreach, which was from the Arizona
16 Game & Fish Department. The Game & Fish Department did
17 not identify any plans for development, but rather used
18 it as an opportunity to provide us with a comment letter
19 containing their recommended -- recommended best
20 management practices for construction. Mr. Brasier will
21 remark on that letter in his biological resources
22 testimony.

23 Q. So what are your overall conclusions with
24 respect to the project's compatibility for land use?

25 A. (MR. HAZLE) Overall, the interconnection project

1 is compatible with both existing and planned land uses,
2 sort of the key element of that compatibility is that the
3 line is sited immediately adjacent to an existing
4 high-voltage transmission corridor.

5 The interconnection project will not interfere
6 with the ongoing ranching activities on the CO Bar Ranch,
7 and it, you know, as I previously described, the project
8 is consistent with the County's long-range planning
9 document, which is the comprehensive plan, and
10 furthermore, has all of its County entitlements.

11 Of course, the interconnection project and the
12 solar project are compatible with the other planned
13 renewable generating projects on the ranch. So, overall,
14 our conclusion is that the project is compatible with
15 land uses in the vicinity.

16 Q. Thank you.

17 Earlier you testified about inferences that can
18 be drawn regarding compatibility with respect to grazing,
19 based on the absence of concerns raised by Babbitt
20 Ranches' personnel.

21 Do you recall that testimony?

22 A. (MR. HAZLE) I do.

23 Q. Knowing what you know about Babbitt Ranches, and
24 their involvement in this project, is there anything
25 further you can say on that specific question?

1 A. (MR. HAZLE) Yeah, if the Babbitt family had any
2 concerns whatsoever about the transmission line
3 interfering with ranching, we would know about it. We
4 haven't had any of those concerns raised by the Babbitt
5 family, and, you know, I'm confident that the Babbitt
6 family, you know, is not shy about letting people know
7 when they're concerned about something.

8 SWCA, as a company, has worked with the Babbitts
9 since the 1980s, when we were founded in Flagstaff and
10 are in direct communication with Mr. Cordasco on a
11 regular basis.

12 Q. And, Ms. Silver, similar question to you, you
13 have met, very recently, the representatives of Babbitt
14 Ranches; isn't that correct?

15 A. (MS. SILVER) That is correct. And so we met
16 with Billy Cordasco yesterday, Stephen, myself, and
17 Oliver, and we discussed the project. He made sure to
18 tell us that he's -- he's fully in agreement with this
19 project and is excited for it to -- to get to the next
20 stages.

21 Q. Thank you.

22 Mr. Brasier -- is the Committee comfortable with
23 him over there, or do you want him to move, switch spots
24 with one of our other witnesses, for his biological
25 resource testimony?

1 CHMN STAFFORD: Well, you know what, this
2 seems like a good breaking spot for lunch, because it's
3 12:34 now. I think we should break for lunch now and
4 come back and get to Mr. Brasier's testimony.

5 MEMBER LITTLE: In answer to your question,
6 Mr. Acken, I think he's fine.

7 MR. ACKEN: Okay. Thank you.

8 CHMN STAFFORD: All right. With that, we
9 will take a lunch recess and come back at approximately
10 1:30.

11 We stand in recess.

12 (Recessed from 12:35 p.m. until 1:33 p.m.)

13 (Member Somers joins the proceedings.)

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

16 Mr. Acken, before we go back to your direct
17 of Mr. Brasier, I'd like to address the potentiality of a
18 tour with the Committee. I, myself, am satisfied with
19 the virtual tour and do not feel that a physical tour is
20 necessary, but I will look to my fellow members to see
21 what their pleasure is.

22 (No response.)

23 CHMN STAFFORD: All right. Seeing no
24 interest in a tour, there will not be one.

25 Mr. Acken, please proceed.

1 MR. ACKEN: Thank you, Mr. Chairman. Yes,
2 right before we broke I noted we were going to go to the
3 biological resource testimony of Mr. Brasier.

4 Q. So at this time, Mr. Brasier, I'd like you to
5 provide an overview of the resource analysis you
6 conducted.

7 A. (MR. BRASIER) Sure. The biological resource
8 investigations for this project began when it was still
9 part of the CO Bar Solar Complex. So, as usual, we begin
10 with the desktop review, which includes a query of the
11 U.S. Fish & Wildlife Service information for planning and
12 consultation database, as well as the Arizona Game & Fish
13 Department's online environmental review tool, and a site
14 visit was conducted in February of 2020, which is
15 included as Exhibit B-1.

16 We have conducted multiple other site visits in
17 the study area for other projects and have a strong
18 familiarity with the biological setting of the area.
19 Once Stellar acquired the project, we conducted
20 additional desktop review to obtain new lists from the
21 IPaC tool and the AGFD online environmental review tool.
22 And these reports help identify the potential for special
23 status species and the areas of biological wealth in the
24 study area.

25 Q. Talk about your coordination with Game & Fish on

1 this one.

2 A. (MR. BRASIER) Sure.

3 The Arizona Game & Fish Department was notified
4 about the interconnection project through the open house
5 and Exhibit H letters. AGFD provided a comment letter in
6 response, dated July 13th, 2023. This letter is included
7 in the CEC application as Exhibit H-2. AGFD provided a
8 number of recommendations for best management practices
9 to minimize impacts to wildlife in the interconnection
10 project.

11 AGFD did not express any specific concerns
12 related to the interconnection project and noted that
13 Babbitt Ranches has been a leader in proactively
14 incorporating wildlife conservation actions as stewards
15 of public and private lands.

16 Q. Next, tell us about the biological setting in
17 which the project's located. I imagine it's similar to
18 your testimony from the other day, but for this record.

19 A. (MR. BRASIER) Yes, it's quite similar.

20 The interconnection project is located in a
21 semi-desert shrub-steppe landscape, which is interspersed
22 with patches of juniper woodlands and arid glasslands.
23 There is no deciduous or riparian vegetation, and no
24 indication of permanent water features.

25 And as with the previous case, this gen-tie

1 corridor is located adjacent to existing linear
2 transmission infrastructure.

3 Q. What about areas of biological wealth, did you
4 identify any of those?

5 A. (MR. BRASIER) The study area intersects two
6 wildlife linkages identified by AGFD in an important
7 connectivity zone in the eastern portion of the study
8 area. No other areas of biological importance were
9 identified, either in the U.S. Fish & Wildlife Service
10 database response, or the AGFD database response.

11 Q. What about special status species, endangered
12 species, things of that nature?

13 A. (MR. BRASIER) The interconnection project is
14 either outside the known range of threatened and
15 endangered species listed under the ESA or does not
16 contain suitable habitat for those species. One
17 candidate for ESA listing, the Monarch butterfly, may
18 occur in the study area, nectar-producing plants used by
19 the butterfly, such as rabbit brush have been observed in
20 the study area and milkweed, which is used for egg
21 laying, is also known to occur in the vicinity.

22 Construction of the project may impact
23 individual Monarchs through minor habitat loss from
24 permanent disturbance, but we would expect individuals to
25 shift their use to nearby habitats, which are abundant in

1 the region, and we would not expect those affects to rise
2 to the population level.

3 MEMBER LITTLE: Mr. Chairman?

4 CHMN STAFFORD: Yes, Member Little.

5 MEMBER LITTLE: I have a concern about the
6 Monarch butterfly. And as I was reading through this
7 application, after having just read through the
8 application we considered earlier this week, it occurred
9 to me that although this particular project, just the
10 transmission line itself, probably has very little, if
11 no -- or will have very little, if no impact on the
12 butterfly, the rabbit brush, and the milkweed and it
13 would be very minor. But taken as a whole, in this area,
14 it seems like there's an awful lot of projects, some of
15 which we have some say so about and some of which we
16 don't, but it's going to disturb a great deal of the land
17 that the Monarch butterfly may -- may use.

18 And it's, you know, if we take each little
19 project one by one, they don't make that much impact,
20 but, in total, there's a lot of land that's going to be
21 disturbed. And I'm not sure how we can deal with that or
22 how that can be dealt with by applicants. It's a
23 concern, and I don't know what the solution is or if
24 there's even any way to address it.

25 MR. ACKEN: Member Little, if I could

1 follow up on that, and I'll direct the question to
2 Mr. Brasier. You know, I understand and respect your,
3 you know, sensitivity to the limits of jurisdiction here,
4 we don't have connected actions in siting, that's not
5 something we consider, or queue for the impacts for
6 either.

7 Q. But, Mr. Brasier, I mean, it is a fact, and so
8 with that in mind, and with your knowledge, what are your
9 thoughts, in light of the types of projects that are
10 going in, the overall area, both associated with the
11 projects and outside of the project area, can you provide
12 us your perspective on Member Little's question?

13 A. (MR. BRASIER) Sure. I think that's an important
14 concern to note for impacts to Monarch butterfly, in
15 general. Specific to this area, I would note that this
16 isn't exactly the most attractive habitat for Monarchs.
17 It's almost impossible to rule out their presence,
18 because they cover such a large area, they're very
19 migratory, and they can use a wide variety of flowering
20 plants when they're feeding.

21 But the most important habitat for Monarchs
22 tends to be riparian areas or other habitats that support
23 large quantities of milkweed, which is very important,
24 they will not lay their eggs on other plant species. So
25 some milkweed has been observed in this general region,

1 but there's no dense concentrations of it, and there's no
2 riparian areas or other water features that would be
3 considered important habitat for the Monarch butterfly.

4 And then maybe an addendum to that is that these
5 projects are also subject to NEPA, which includes a
6 review of threatened and endangered species. Typically,
7 the lead federal agency will consult with U.S. Fish and
8 Wildlife Service on potential impacts to the Monarch and
9 other species, which provides another opportunity to
10 review those actions and determine if any other best
11 management practices need to be implemented.

12 MEMBER LITTLE: Thank you. That's very
13 reassuring.

14 CHMN STAFFORD: Just a quick follow-up on
15 that. Yes, because there will be a NEPA process because
16 the Bureau of Reclamation is a part owner of the existing
17 500kV lines, to which the switchyard will connect. So
18 they will look at the cumulative impact of all four
19 projects that will tie into this switchyard, correct, as
20 part of their evaluation?

21 MR. BRASIER: That's correct.

22 CHMN STAFFORD: Okay. Even though we don't
23 have the ability to look at all those, somebody does, so
24 that review will take place at the federal level, then?

25 MR. BRASIER: Yes.

1 CHMN STAFFORD: Great. Thank you very
2 much.

3 MR. ACKEN: Thank you, Chairman and Member
4 Little.

5 Q. Mr. Brasier, let's move now to eagles and other
6 special status species.

7 A. (MR. BRASIER) Yes.

8 So this project is also within the year-round
9 range for the golden eagle, which, as we've established,
10 covers much of Arizona, and foraging habitat for the
11 species is also present; however, preferred nesting
12 substrate, such as cliffs or large trees, are not present
13 in the study area.

14 For bald eagles, we are also within the
15 non-breeding range for the species and individuals may
16 pass through the study area and there are secondary
17 foraging resources, such as carrion present, but bald
18 eagle breeding habitat, which consists of large trees and
19 snags within one mile of large water bodies, is not
20 present.

21 And with the implementation of the mitigation
22 measures, which will be described on the next slide,
23 there's low potential for the interconnection project to
24 affect bald and golden eagles.

25 Q. Let's talk about the mitigation measures. You

1 mentioned Game & Fish recommended some, and of course,
2 our recommended or proposed CEC includes them. What are
3 your thoughts on mitigation measures proposed to minimize
4 effects on biological resources?

5 A. (MR. BRASIER) Yeah.

6 So the minimization measures you see on the left
7 slide here are consistent with the recommendations of
8 AGFD. These measures include pre-construction burrow
9 surveys and migratory bird nest surveys, using wildlife
10 escape ramps and trenches, designing the transmission
11 line, in accordance with APLIC guidelines, and other
12 construction best management practices, which are
13 described in Exhibit C.

14 Q. Provide your conclusions with respect to the
15 project's compatibility for biological resources.

16 A. (MR. BRASIER) The project is not likely to
17 significantly affect any special status species or their
18 habitat or any areas of biological wealth. The
19 interconnection project is not expected to inhibit
20 wildlife movement through the area, and other than the
21 wildlife linkages identified by AGFD, there are no other
22 areas of biological wealth in the study area and
23 surrounding vicinity.

24 Stellar plans to implement appropriate
25 mitigation measures, including construction best

1 management practices; therefore, the interconnection
2 project is compatible with biological resources.

3 Q. Thank you, Mr. Brasier.

4 Next, we're going to turn to visual resources,
5 and back to Mr. Hazle. Describe your approach to
6 evaluating visual resources.

7 A. (MR. HAZLE) Our approach for assessing visual
8 resources, in general, and specifically for this CEC
9 application, involves initially characterizing the
10 project area and its surroundings and identifying within
11 that area what the sensitive viewpoints may be where
12 individuals could see the project and, you know, maybe
13 have permanent views affected by new facilities.

14 After we complete that assessment, we, you know,
15 physically visit those sensitive viewing locations and
16 select key observation points. We take photographs from
17 those locations, facing toward the project. And then we
18 use computer modeling software to simulate the project
19 facilities in those existing conditions photos.

20 The computer software takes into account the
21 viewer's perspective, the time of day, the lighting
22 conditions, the distance between the viewer and the
23 facilities. So these are really scaled photo-realistic
24 photo simulations that we create for the benefit of the
25 CEC application. With those in hand, we use the photo

1 simulations to assess the degree of visual impacts from
2 those sensitive viewing locations for the interconnection
3 project.

4 Just a little bit of background about the visual
5 setting, this general area north of Flagstaff is referred
6 to as the San Francisco plateau; it can be characterized
7 by having small shallow canyons, flat or gently rolling
8 plains, generally open views with low-stature vegetation,
9 like grasslands or pinyon-juniper.

10 We heard a lot about the Arizona Trail in the
11 previous case, you know, it's -- it's also true for this
12 project that it crosses the CO Bar Ranch; however, it's
13 approximately three miles east of the APS Switchyard, so
14 it's farther away from today's interconnection project.

15 A couple key visual features in the area are the
16 San Francisco Peaks north of Flagstaff, with the laser
17 pointer here on the right screen; and Red Butte, which is
18 this topographic features about 17 miles to the
19 northwest. Red Butte is an important location in
20 Coconino County that is often looked at for visual
21 resources analysis. We ruled it out for this project,
22 just given the viewing distance at 17 miles is just too
23 far for transmission structures to be discernible from
24 that location.

25 So for our key observation points, we selected

1 three locations. The first key observation point is from
2 the community of Vail, which is an unincorporated area of
3 Coconino County. This key observation point is, I would
4 say, representative of the cluster of residences that are
5 in Vail, where it's more closely settled. I did confirm
6 on break that there are residences closer to the project,
7 farther out here, as Mr. -- or as Member Kryder pointed
8 out.

9 The nearest residence to the interconnection
10 project in the Vail area is about 5.5 miles from the
11 interconnection project. So that is closer than the
12 visual key observation point we have in the CEC
13 application; however, you know, I think it's worth
14 noting, you know, that it's our intention in selecting
15 that location that we're, you know, representing sort of
16 the more densely settled area with a greater number of
17 residences.

18 Second location is along U.S. 180, so it's a
19 very well-traveled road, and we wanted to capture what
20 the project might look like for a motorist driving down
21 the road that might be glancing off to the north. And
22 then, finally, from the Arizona Trail, approximately 3.5
23 miles east of the project itself.

24 So this is the first project photo simulation
25 from Vail, which we saw a preview of in the visual -- or

1 in the virtual route tour. From key observation point 1,
2 the project is not visible, you know, it would -- it's
3 out here on the horizon, this dashed bar shows the extent
4 of where the project is in the landscape. And, you know,
5 individual features are obstructed by existing
6 landscape -- land forms or not discernible at this
7 distance.

8 Our conclusion is that there are low visual
9 impacts for the residential area around Vail. This is
10 from U.S. 180 at a distance of 1.8 miles from the
11 project. I think it's worth noting that, you know, even
12 though our simulation point from the residential area in
13 Vail was farther away than the closest residence, you
14 know, this is a view of the project area at 1.8 miles.

15 On the following slide I just I have about a
16 50 percent zoom-in, which is not representative of what
17 you would see from your car, but just for the benefit of
18 the Committee, I just wanted to demonstrate that there
19 are transmission structures simulated into this image,
20 you can see them, you know, when you're well zoomed in on
21 the simulation, but at the perspective and distance of
22 about 1.8 miles, it's very difficult to pick out the
23 individual transmission structures.

24 CHMN STAFFORD: Are those the existing
25 structures or is that a simulation of the new --

1 MR. HAZLE: These -- these two with my
2 laser pointer are existing --

3 CHMN STAFFORD: Okay.

4 MR. HAZLE: -- with the red arrows are
5 simulated. So simulated -- we have three simulated
6 structures at the extent of the zoom-in here, and then
7 you can see the twin structures also in the view. And,
8 actually, the twin existing lattice structures are closer
9 to U.S. 180 than the interconnection project are.

10 CHMN STAFFORD: Right. Because you're
11 north of that, right?

12 MR. HAZLE: Correct.

13 So our conclusion from U.S. 180 is that
14 there are low visual impacts. That's also taking into
15 consideration not only that the project will be difficult
16 to see, but that, you know, the viewing duration of an
17 individual driving down the highway is much shorter than,
18 say, a resident -- a residence [sic] that might look out
19 their kitchen window or a recreationist on the Arizona
20 Trail.

21 The third and final viewpoint is from the
22 Arizona Trail, again, at a distance of about 3.5 miles.
23 The bracketed, sort of white dashed line here, shows the
24 extent of the image that contains new project facilities.
25 Again, this is sort of the flat, open terrain with

1 grasslands and, you know, low stature pinyon-juniper
2 vegetation.

3 Again, for the benefit of the Committee, we
4 can zoom in, you know, understanding that I suppose if
5 you had binoculars it might look like this, but
6 otherwise, this isn't going to be what you see. But
7 there are, you know, individual new transmission
8 structures simulated on the horizon here, and it's
9 difficult to -- to pick them out from the existing
10 lattice structures.

11 So our conclusion is for recreationists on
12 the Arizona Trail, there will be low visual impacts
13 related to the interconnection project. Taken
14 altogether, from the three key observation points, you
15 know, our global conclusion on visual resources is that
16 the project is compatible with the existing visual
17 setting, and would result in low visual impacts.

18 Probably the single-most important thing a
19 developer can do in minimizing visual impacts is to site
20 the transmission line where there's already existing
21 infrastructure, and that's exactly what Stellar has done
22 here. So I'd say the, you know, notwithstanding being
23 far away from sensitive views, to begin with, visual
24 impacts are further minimized by that consolidation with
25 existing infrastructure.

1 BY MR. ACKEN:

2 Q. Thank you, Mr. Hazle.

3 Next, we are going to turn to cultural
4 resources, which is the second resource category that is
5 covered by Exhibit E to the application requirements. So
6 for that, summarize your approach, Mr. Hazle.

7 A. (MR. HAZLE) Our approach for CEC applications,
8 in general, and this project, specifically, is to use the
9 State's database, which is called AZSITE, to look at all
10 of the past cultural resource investigations that have
11 happened within a one-mile radius of the interconnection
12 project.

13 From there, we map out the known cultural sites
14 inside of that one-mile buffer, and look at, you know,
15 first, what's the distance from those sites to the
16 interconnection project, and then, second, are any of
17 those sites inside of the CEC corridor.

18 So for this project, just looking at what's
19 already been surveyed out on the CO Bar Ranch,
20 approximately 70 percent of the CEC corridor has been
21 previously surveyed to modern standards. It's important
22 to note that, you know, among that 70 percent, there is a
23 continuous corridor of previously surveyed land inside of
24 our black polygon.

25 So it's really just the northern sliver, or

1 rather, portions of the northern sliver of the CEC
2 corridor that haven't been covered by past surveys. The
3 reason we included a corridor that was a little wider
4 than what was covered by past cultural surveys is just to
5 provide flexibility in the event that the final
6 right-of-way needs to be sited, you know, around
7 difficult topography or anything like that. So just
8 balancing the practical constraints of siting a
9 transmission line with kind of what has been previously
10 surveyed in the area.

11 Q. Did you coordinate with the State Historic
12 Preservation Office?

13 A. (MR. HAZLE) We did. We provided the SHPO with a
14 consultation letter that meets their requirements of
15 their ACC SHPO checklist for CEC applications. That
16 letter included the same information that was contained
17 in Exhibit E, plus the, what we call the Class I research
18 maps, which actually show the location of known cultural
19 sites within that one-mile study area.

20 So inside of the one-mile study area, there is
21 the same known archaeological site that we discussed in
22 the previous case. Like the previous applicant, Stellar
23 will avoid that site through its project design, so there
24 will be no direct impacts to that known cultural site.
25 And then secondly --

1 CHMN STAFFORD: And that cultural site,
2 that's at the triangle up at the northeast, right? It's
3 where -- it's where the switchyard will be placed,
4 correct? It's in that area, if I recall in the last --
5 that APS intended to construct the switchyard to avoid
6 that site, specifically, that's the known site.

7 MR. HAZLE: Yeah, APS will endeavor to
8 avoid known cultural sites. I may have inadvertently
9 brushed over that area with a laser pointer, but, you
10 know, the location of cultural sites is something we try
11 to keep under wraps as much as possible. So I think
12 suffice it to say there is a cultural site in the
13 corridor and Stellar is aware of its location, and the
14 SHPO is aware of its location through our consultation
15 letter, and Stellar will avoid that site through their
16 project design.

17 CHMN STAFFORD: Okay.

18 MEMBER KRYDER: Okay.

19 BY MR. ACKEN:

20 Q. So the next slide provides a summary of your
21 SHPO correspondence that you mentioned. The SHPO letter
22 can also be -- correspondence is found sat SES-8; is that
23 correct?

24 A. (MR. HAZLE) Yes.

25 Q. Is there anything else you want to say with

1 respect to the SHPO?

2 A. (MR. HAZLE) The SHPO in their letter -- or in
3 their reply did recommend that the CEC corridor be
4 surveyed to Class III standards. I think -- or not I
5 think, but, you know, this CEC will contain a condition
6 to have the, you know, final right-of-way be surveyed to
7 Class III standards, and, you know, as I previously
8 mentioned, there is a complete section of the corridor
9 that has been previously surveyed, and certainly, the
10 path of least resistance is to just site the right-of-way
11 within the area that's been previously surveyed.
12 Understanding that if they have to move outside of it
13 within the corridor, the condition in the proposed CEC
14 would cover completing a survey on that remaining
15 portion.

16 MEMBER LITTLE: Mr. Chairman?

17 CHMN STAFFORD: Yes, Member Little.

18 MEMBER LITTLE: Just I want to just confirm
19 a couple of things. First of all, SHPO recommended that
20 the portion of the CEC corridor be surveyed. That word
21 "recommended" does not say "require compliance," is that
22 covered in -- you lawyers can tell me whether you think
23 that is covered in the standard CEC conditions.

24 MR. ACKEN: Member Little, I believe it is,
25 I'm just looking for that. Oh, yes it is. It's in our

1 proposed Condition 7, which refers to both consultation
2 with SHPO and completing a Class III cultural inventory.
3 And, again, we propose to make it clear that it's on the
4 final right-of-way.

5 MEMBER LITTLE: Okay.

6 And one other confirmation, in the Table
7 E-4, which lists the previously recorded archaeological
8 sites within a mile of the project, there's several
9 projects that are recommended to be eligible. They're
10 not necessarily eligible, but they're recommended to be
11 eligible. And when you said that that one site that is
12 in the area would be avoided, are you also saying that
13 all of these other ones that are recommended to be
14 eligible will be avoided also during construction?

15 MR. HAZLE: That's correct. So any of the
16 sites that have a distance listed in that right-most
17 column --

18 MEMBER LITTLE: Uh-huh.

19 MR. HAZLE: -- those are outside of the CEC
20 corridor.

21 MEMBER LITTLE: Okay.

22 MR. HAZLE: So --

23 MEMBER LITTLE: So that distance is from
24 the edge of the CEC?

25 MR. HAZLE: Correct, yes.

1 MEMBER LITTLE: Okay.

2 MR. HAZLE: So anything outside of the CEC
3 corridor will automatically be avoided by virtue of not
4 having authorization to build a line.

5 MEMBER LITTLE: Right. Okay. Thank you.
6 Oh, within one mile, okay.

7 MR. ACKEN: Thank you.

8 Q. Mr. Hazle, any concluding thoughts regarding the
9 project's compatibility for cultural resources or
10 anything else you'd like to say?

11 A. (MR. HAZLE) As part of the standard ASLD
12 right-of-way application and review process for ASLD,
13 there is a cultural survey report that's required as part
14 of that process. And the SHPO will review that report as
15 part of the ASLD right-of-way approval.

16 So I guess, suffice it to say, when an applicant
17 progresses into finalizing its right-of-way with the
18 ASLD, that's sort of, you know, a more narrow and more
19 specific area that they know, like, this is where the
20 line is going to be, that's their actual real estate
21 authorization to construct the line.

22 So it's just an important note where
23 right-of-way involves ASLD, the SHPO reviews a cultural
24 report as a part of that process also.

25 MEMBER LITTLE: Mr. Chairman?

1 CHMN STAFFORD: Yes, Member Little.

2 MEMBER LITTLE: Just one other confirmation
3 question. Attachment B-2 to the application says page 1
4 of the cultural resources survey -- oh, this was the
5 cultural resources survey for the original CO Bar Solar
6 interconnection project; is that correct?

7 MR. HAZLE: Yes.

8 MEMBER LITTLE: Okay. Sp there was nothing
9 there and I thought, well, it's included later. I was
10 confused.

11 MR. HAZLE: The reason I only include
12 page 1 is, again, on the sensitivities around disclosing
13 the location and nature of cultural resources, and I
14 think my -- my goal here was to acknowledge that a
15 cultural resources survey was done as part of the
16 original development and, of course, the standard for
17 Exhibit B is studies which have been made or obtained in
18 connection with the project. So that's sort of the line
19 I'm walking there.

20 MEMBER LITTLE: Thank you.

21 BY MR. ACKEN:

22 Q. And I know you said this in the last case, but
23 for this record, is it appropriate and lawful to include
24 the location of cultural resources in a public forum?

25 A. (MR. HAZLE) It is not.

1 Q. Thank you.

2 MEMBER FRENCH: Mr. Chairman?

3 CHMN STAFFORD: Yes, Member French.

4 MEMBER FRENCH: Just one clarification
5 question, I may have missed it. For the Class III survey
6 for the right-of-way, is that for the entirety of the
7 finalized right-of-way or only the portions that are on
8 ASLD land?

9 MR. HAZLE: You know, that's a good
10 question. I don't know that off the top of my head. I'd
11 be happy to check in with one of my colleagues on break
12 and provide you a more definitive answer.

13 MEMBER FRENCH: Thank you.

14 MR. ACKEN: Pursuant to the condition, it's
15 not limited to state land. So if this Committee adopts
16 proposed Condition 7, it applies on private land as well.

17 MEMBER FRENCH: Thank you.

18 MR. HAZLE: So overall, our conclusion with
19 respect to cultural resources is that the interconnection
20 project is compatible with cultural resources. None of
21 the sites outside of the CEC corridor would have indirect
22 effects, given that there is already transmission
23 facilities in the viewshed of those sites. And direct
24 effects would be avoided by designing the project around
25 the known site.

1 BY MR. ACKEN:

2 Q. Thank you, Mr. Hazle.

3 Mr. Brasier, back to you, discuss your
4 evaluation of recreational resources.

5 A. (MR. BRASIER) Sure.

6 As part of our land use inventory, we looked for
7 any recreation facilities in the study area; however, no
8 public recreation facilities were identified. Dispersed
9 recreation activities do occur in the study area, such as
10 camping and hunting. The study area is also less than
11 one mile from U.S. Route 180, which is a popular route to
12 the Grand Canyon. Travelers commonly pull off this
13 highway to camp and explore and Power Line Road provides
14 public access to the study area from U.S. 180.

15 During construction, access to work sites would
16 be restricted for public safety, but the interconnection
17 project would not interfere with existing recreation
18 opportunities in the study area. And the applicant does
19 not plan to develop any additional public recreational
20 opportunities in the study area.

21 Q. Mr. Hazle, let's turn to Exhibit I, noise and
22 communication interference, and describe your analysis.

23 A. (MR. HAZLE) Exhibit I covers audible noise and
24 communication signal interference. So starting with
25 audible noise, we look at this in two categories, first

1 being construction noise. So in considering construction
2 noise, you have to have a receptor that's, you know,
3 reasonably close to actually hear it. So the nearest
4 noise sensitive receptor would be users of the Arizona
5 Trail, which again, is a distance of approximately 3 1/2
6 miles. 3 1/2 miles is a sufficient distance for noise to
7 dissipate. Furthermore, construction noise would be
8 temporary and would be limited primarily to daylight
9 hours.

10 As far as audible noise during operations, the
11 primary consideration is sort of that corona discharge
12 crackling sound that transmission lines can have. You
13 may be familiar with hearing that noise if you ever rode
14 a bike or walked under a transmission line. Again, you
15 know, we're having the benefits of co-locating with
16 existing 500kV facilities up here. And, you know, for
17 those of you that are familiar with kind of how, you
18 know, noise is perceived, when you add two noise sources
19 of a similar magnitude, you do not get a doubling of the
20 resultant perceived noise.

21 So adding an additional transmission line here
22 is not going to double the amount of corona discharge
23 noise for anyone who is in that area to hear it in the
24 first place. That being said, corona discharge noise,
25 you know, is typically thought of as something you hear

1 directly underneath the line or at the edge of the
2 right-of-way, and that noise rapidly dissipates as you
3 move away. So the permanent, you know, ambient noise
4 conditions would not be affected by this transmission
5 line.

6 Signal interference is unlikely, given the lack
7 of stated or understood concerns about the existing 500kV
8 lines. Adding a new line immediately adjacent to those
9 would not create a new problem where one already does not
10 exist.

11 Overall, our conclusion is that the
12 interconnection project is compatible with the existing
13 noise setting of the area.

14 Q. Finally, Mr. Hazle, I'd like you to provide your
15 overall conclusions with respect to the project's
16 environmental compatibility.

17 A. (MR. HAZLE) When looking at the total
18 event -- excuse me -- when looking at the total
19 environment of the area, the project would have minimal
20 effects to environmental resources, including biological,
21 land use, cultural, and visual resources. Nor would the
22 project affect recreation resources or existing noise
23 conditions.

24 The project is compatible with existing and
25 planned uses, including the County's long-range planning

1 document, the Coconino County Comprehensive Plan. This
2 project already has its County entitlements in the form
3 of a CUP approval, and does not require any farther --
4 any further discretionary permits from Coconino County.

5 Being sited directly next to an existing
6 transmission corridor, it's -- it's difficult to further
7 minimize the environmental impacts of a project like
8 this. Overall, my conclusion is that the project is
9 compatible with existing environmental resources.

10 MR. ACKEN: Thank you.

11 Thank you, Mr. Chairman, Committee, that's
12 all I have for this panel. We do have Mr. Foster
13 available; he's on Zoom. He's available now or if you
14 want to take a quick break and make sure it's working. I
15 would ask that the Stellar witnesses remain as part of
16 that panel, but ask that the SWCA witnesses be excused,
17 unless the Committee has further questions for them at
18 this time.

19 CHMN STAFFORD: Do the members have any
20 questions for this panel?

21 MEMBER LITTLE: Mr. Chairman?

22 CHMN STAFFORD: Yes, Member Little.

23 MEMBER LITTLE: I would just like to thank
24 them for being here and for such a concise, easily
25 understandable presentation. Thank you.

1 CHMN STAFFORD: Thank you.

2 All right. Well, let's take a short break
3 so you can get your next panel teed up. So let's take a
4 10-minute -- would 10 minutes be sufficient to get it set
5 up?

6 MR. ACKEN: I believe so. I think he's on,
7 so it's just a matter of confirming that everything's
8 working and we can hear him and vice versa.

9 CHMN STAFFORD: Okay. Let's take a
10 10-minute recess.

11 We stand in recess.

12 (Recessed from 2:13 p.m. until 2:22 p.m.)

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

15 Mr. Acken, you were going to call your
16 second panel, consisting of one witness.

17 MR. ACKEN: Thank you, Chairman. The
18 second panel is Stephen Foster. I do ask that the three
19 Stellar representatives remain sworn and part of this
20 panel, as well, in case there are questions that are
21 directed towards the applicant as part of his testimony.

22 CHMN STAFFORD: Mr. Foster, would you
23 prefer an oath or affirmation?

24 MR. FOSTER: Affirmation is fine.

25 (Stephen Foster was duly affirmed by the

1 Chairman.)

2 CHMN STAFFORD: Thank you.

3 MR. ACKEN: Before we jump into
4 Mr. Foster's testimony, I want to lay some initial
5 foundation on our data response which has been marked for
6 identification as SES-7.

7 Q. Ms. Silver, do you have SES-7 in front of you?

8 A. (MS. SILVER) Yes.

9 Q. And is this entitled, "1886 Solar Energy
10 Station, LLC's Response to First Set of Data Requests,"
11 dated August 14, 2023?

12 A. (MS. SILVER) That is correct.

13 Q. And does STF 1.1 ask, "Were transmission system
14 impacts for the proposed project evaluated? If so,
15 please describe in general terms the results of the
16 evaluation and provide a copy of the system impact
17 studies."

18 A. (MS. SILVER) Yes.

19 Q. And do the first two pages of that response
20 provide a legal objection to the question on the grounds
21 that the Committee's jurisdiction is focused on
22 environmental compatibility, and it is the Commission's
23 jurisdiction to evaluate reliability?

24 A. (MS. SILVER) Yes.

25 Q. With that said, does the response to 1.1 state

1 that the applicant commissioned a study and would forward
2 that study to Commission Staff upon receipt?

3 A. (MS. SILVER) Yes, it does.

4 Q. And did the applicant, in fact, do that on
5 August 31st?

6 A. (MS. SILVER) Yes, we did.

7 Q. And is that the study that you mentioned earlier
8 and that Mr. Foster will provide testimony on presently?

9 A. (MS. SILVER) Yes.

10 Q. I'd like to have you also take a look at STF 1.2
11 which asks a question about the -- provides a -- excuse
12 me, it asks, "Provide a general description of the impact
13 the proposed project will have on available transmission
14 capacity."

15 Do you see that question?

16 A. (MS. SILVER) Yes.

17 Q. And it's the response that the applicant states
18 that "The project is located on the Navajo South
19 transmission 500kV system, which the applicant
20 understands has and will have significant available
21 transmission capacity due to recent and planned closures
22 of large generating resources in the Four Corners
23 region."

24 A. (MS. SILVER) Yes.

25 Q. And the third question from Staff asks whether

1 the proposed project will propose system reliability, and
2 in that response the -- it states, "Additional
3 transmission lines that interconnect generating resources
4 and battery storage improve system reliability by
5 providing needed resources to serve load, backup power,
6 and storage"; is that correct?

7 A. (MS. SILVER) Yes.

8 Q. It further states that APS has expressed a
9 preference for new resources in this area, and that is
10 consistent with your testimony earlier today; is that
11 correct?

12 A. (MS. SILVER) Yes, correct.

13 Q. Thank you.

14 Now I would like to turn to Mr. Foster, and we
15 need to probably -- is he -- get him sworn in again?

16 CHMN STAFFORD: Yes, he's been sworn.

17 MR. ACKEN: Okay.

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1 STEPHEN FOSTER,
2 called as a witness on behalf of the Applicant, having
3 been previously affirmed or sworn by the Chairman to
4 speak the whole truth and nothing but the truth, was
5 examined and testified as follows:

6

7 D I R E C T E X A M I N A T I O N

8 BY MR. ACKEN:

9 Q. Mr. Foster, please state your name, address, and
10 business record [sic] again for the record?

11 A. (MR. FOSTER) Stephen Foster with KR Saline and
12 Associates, 160 North Pasadena, Suite 101, Mesa, Arizona
13 85201. I have seven years' experience in utility
14 consulting and power flow studies, all within KR Saline.
15 Education at Arizona State University --

16 THE REPORTER: I'm sorry.

17 CHMN STAFFORD: Hold on one second, please.
18 The court reporter's having trouble discerning your
19 words. Can you try to slow down and maybe get closer to
20 the mic and try to speak a little more slowly and more
21 clearly?

22 MR. FOSTER: Yes. So I could start over.
23 So this is Stephen Foster with KR Saline and Associates
24 160 North Pasadena, Suite 101, Mesa, Arizona 85201.

25 I've been with KR Saline and Associates for

1 seven years as a utility consultant and power flow study
2 engineer. I graduated from Arizona State University with
3 a bachelor degree in electrical engineering, and my
4 project role was electrical engineering consultant, and I
5 was the project manager.

6 BY MR. ACKEN:

7 Q. So when you speak, at the beginning it comes
8 across very clearly, but then it starts to trail off, so
9 I know it may seem odd on your end, but try to continue
10 that beginning cadence and slow cadence very -- and speak
11 precisely throughout the answer, and I think that will
12 help the court reporter. But thank you.

13 So talk about your role in this project, what
14 were you asked to do?

15 A. (MR. FOSTER) I was asked by Stellar to view the
16 feasibility of this project to review the thermal and
17 voltage aspects of this project connected to the Navajo
18 South system. It was our understanding that APS was not
19 going to have their System Impact Study completed in
20 time, so for this litigation we were going to do a study
21 for them to show whether there is reliability with their
22 new project, and whether there would be any violations or
23 any issues to the existing electrical grid of APS, and
24 the rest of Arizona if this project connected to the
25 grid. And that's a point that we provided to Stellar,

1 that you guys have in hand.

2 Q. So I know you covered it in your testimony the
3 other day, but I want to create a complete record in both
4 cases, so if you would, just give a high-level overview
5 again of who KR Saline is, and you can abbreviate it for
6 today.

7 A. (MR. FOSTER) Okay.

8 KR Saline is utility consultants. We work a lot
9 with the public power utilities, most of which are in
10 Arizona. In the past, we have worked with the Arizona
11 Corporate [sic] Commission constructing or helping to
12 construct the Biennial Transmission Assessment studies.
13 Clients -- our current clients do include, but are not
14 limited to, SCIP, Stafford, Thatcher, Williams, and a lot
15 of Arizona irrigation and electrical districts. And then
16 our staff, the department I'm a head of, transmission and
17 distribution, help with a lot of the electrical
18 engineering needs of those smaller utilities, and also
19 help developers whether they are renewables, gas
20 generators, load serving or data centers, or whatever
21 they may be.

22 Q. Thank you. Next, I'd like you to remind the
23 Committee again what a power flow study is.

24 A. (MR. FOSTER) Power flow study is reviewing the
25 thermal and short-circuit parameters within the power

1 flow case. We get these power flow cases from WECC. We
2 used for this study a 2028 summer peak heat case.
3 Peaking case is, you know, the most stressed case, if you
4 will, for this region of WECC. It -- it is what our
5 whole transmission grid is built to serve our peaking
6 conditions. So we want to make sure that any additional
7 generation or load, whatever it may be, that's added to
8 our existing system does not impact the reliability of
9 the existing system.

10 So once we've made modifications to the case, we
11 talked about yesterday and also for this case, adding
12 over 4,000 megawatts of queue on APS's Navajo South
13 system, and then as we discussed yesterday as well, we
14 sank that power to both Palo Verde hub and CAISO. And
15 this is to match the same methodology that APS uses in
16 their system impact studies.

17 We've run through what's called outages, and
18 we've discussed a little bit about that yesterday, you
19 know, very simplistic, just transmission line or a
20 transformer outage and making sure it doesn't cause any
21 violations, and those violations are either thermal or
22 voltage, making sure that there's not too much flow on
23 existing transmission lines, being run without it, making
24 sure the voltage stay within their limits. We don't want
25 too high a voltage, but we also don't want too low of

1 voltage. We need to keep that in its parameters. And
2 then the short-circuit as well, to make sure that we're
3 not shorting anything out or anything along those lines.
4 And this is just to keep the Arizona grid safe and
5 reliable.

6 Q. So you mentioned this in your testimony
7 yesterday. I am showing -- I'm not sure if you can see
8 the same screen as we are. I'm showing slide 8 from your
9 presentation -- well, 7 and 8 -- and 8 is entitled,
10 "Feasibility Study Analysis Overview," and it's a line
11 diagram. And if you would just, again, remind the
12 Committee what that is.

13 A. (MR. FOSTER) So this is what the power flow
14 case looks like. It has buses, it has transformers.
15 Those squiggly white lines on the purple lines is the
16 transformer that changes the voltages. And then the
17 transmission lines are just the lines in between. This
18 is what, you know, we looked with -- I said yesterday
19 this is a very simplistic view of data that we had on
20 hand. We did not want to use a WECC case, or anything
21 that might have some data in it, so we would see
22 something a little more sophisticated in this, but this
23 gives us just an idea of kind of the what we look at it
24 when we're doing power flow studies.

25 Q. So next I'd like you to describe the results of

1 the analysis you conducted for Stellar of the generator
2 interconnection for the transmission line at issue?

3 A. (MR. FOSTER) So when we did our study, we
4 reviewed a lot of the same parameters we did for the
5 study that we talked about yesterday. Again, we found no
6 thermal loading overloads during P0 conditions. As I
7 stated yesterday, P0 conditions are when this system is
8 running as you'd expect, there's no outages, everything
9 is online. There's no violations, as we would expect.

10 The project did not surpass the threshold of the
11 added ANPP fault current. We talked about that as well
12 yesterday, that has to do with the fault current -- the
13 fault currents at the Palo Verde Nuclear Power Plant.
14 It's far enough away that the contributions it had for
15 the limits of what they would have to contribute to.

16 Additionally, P1 overloads that were in a past
17 case, before we added this project, if we want to think
18 about the past queue that I added as being 4 gigawatts,
19 did have a few P1 voltage issues, though they're small
20 they are present. Our project did not create any queue
21 P1 voltage issues, but they did contribute slightly to
22 those existing P1 issues. And as we talked about
23 yesterday, those would be the responsibility of past
24 queue and should not be the responsibility of this
25 project. But, again, this project would still have to be

1 completed -- complete a System Impact Study by APS, and
2 it won't be final -- have the final word on what would
3 need to be added, but we found nothing that --

4 THE REPORTER: Found nothing that --

5 MR. FOSTER: We also found a P voltage
6 issue --

7 MR. ACKEN: I'm sorry.

8 CHMN STAFFORD: Hold on -- hold on. You
9 need to -- how far does he need to back up?

10 THE REPORTER: "But we found nothing."

11 CHMN STAFFORD: "But we found nothing,"
12 then go from there, please.

13 MR. FOSTER: I think that's where I
14 discussed that we found no issues on P1 outages. APS
15 would still have to do their own System Impact Study to
16 ensure this project does not add to any new violations.
17 But our study indicated there are none.

18 Last, we did find a few voltage issues,
19 they were the same issues that we found on the study that
20 we talked about yesterday. They are voltage issues at
21 Pinnacle Peak, and, like Navajo South system, Pinnacle
22 Peak has many owners in it, WAPA, APS, SRP, and more
23 ownerships at Pinnacle Peak, so they are discussing --
24 they are currently discussing how they will handle these
25 voltage issues.

1 But, again, these are already known issues
2 that the utilities are finding mitigations for and our
3 project did not contribute much to the existing voltage
4 issue as it was. But they may be found that they will
5 have to contribute some cost to help fix these. But the
6 cost should be minimal, as it is shared costs, like the
7 Palo Verde and Hassayampa reactors were.

8 CHMN STAFFORD: I've got a quick follow-up
9 question here. These here are conditions as normal
10 operating, can you describe what a P1 overload is?

11 MR. FOSTER: So there's no P1 overload.
12 That's overloads found during P1 conditions, so that
13 could be reworded to be a little better. But there were
14 overloads that were found during P1 conditions. P1
15 conditions are just simply a transformer or transmission
16 line, you know, very simplistic outage. We talked about
17 yesterday other high P outages being -- it's something
18 easy to think about is just an outage of a transmission
19 pole, I think as an example I said yesterday, to where
20 there could be multiple transmission lines on one pole,
21 but once that pole has a contingency outage, it actually
22 knocks out two elements. So it's kind of like an old N
23 minus 2 situation or N minus 1 minus 1.

24 But NERC kind of classifies them
25 differently, and P1 outages is just to state that it's

1 simply a transmission line for a transformer.

2 CHMN STAFFORD: So it's like so one
3 transmission line or one transformer down would be a P1
4 condition?

5 MR. FOSTER: Correct.

6 CHMN STAFFORD: Okay. Just wanted to get
7 that clarified on the record. Thank you.

8 MEMBER FRENCH: Mr. Chairman?

9 CHMN STAFFORD: Yes, Member French.

10 MEMBER FRENCH: Mr. Saline [sic], I will
11 caveat my question with I am not an electrical engineer
12 and I don't have any detailed knowledge about this topic,
13 but in your studies was it also incorporated the
14 possibility of grid charging the battery storage system
15 at this facility, and were there any faults associated
16 with that?

17 MR. FOSTER: First off, I just want to
18 state I'm not Mr. Saline; I'm Stephen Foster. I work for
19 Ken Saline, so --

20 MEMBER FRENCH: My apologies, sir.

21 MR. FOSTER: That's okay. I'm not
22 there -- I'm not that -- no, we did not look at the
23 attributes of charging for this study. Charging, we did
24 not look at that, this is simply to look at the
25 generation aspects of it for discharging batteries.

1 MEMBER FRENCH: Okay. Thank you.

2 CHMN STAFFORD: Quick follow-up on that,
3 what was the maximum output for the plant that you
4 modeled for this, was it 500 megawatts or 1,000
5 megawatts?

6 MR. FOSTER: I believe it was 500.

7 CHMN STAFFORD: Okay. Thank you.

8 MR. FOSTER: Yes, I can confirm that it was
9 500.

10 CHMN STAFFORD: Thank you.

11 BY MR. ACKEN:

12 Q. And, Mr. Foster, is that standard practice in
13 the industry to model the generation -- the maximum
14 generation when you're doing a power flow analysis?

15 A. (MR. FOSTER) That's correct. We're always
16 studying for the worst-case scenario.

17 Q. Unless you have anything else, now I'd like you
18 to provide your concluding thoughts based on your
19 expertise and the analysis you conducted. I'd like you
20 to provide the Committee with your professional opinion
21 about the safety and reliability of the proposed large
22 generator interconnection.

23 A. (MR. FOSTER) Yes. Thank you.

24 So my professional opinion is with everything
25 that is being used as our parameters for this study, I

1 find no reliability issues. We talked a lot about,
2 yesterday, that any additional generation right now is
3 helpful as, you know, APS and SRP are short on their
4 generation. And they, you know, if the plan generation
5 requirements are to go forward, they need projects being
6 put in utilizing the existing transmission that's already
7 built benefits us as Arizona ratepayers to not build new
8 transmission lines. So I do feel this project is a good
9 project to help them.

10 MR. ACKEN: Thank you.

11 Mr. Foster, is available for questions.

12 CHMN STAFFORD: Members?

13 (No response.)

14 CHMN STAFFORD: Mr. Acken, would you like
15 for the Committee to take official notice of Mr. Foster's
16 testimony yesterday in the other case?

17 MR. ACKEN: You know, Chairman, that is a
18 wonderful idea, I would like that. Thank you. I so
19 move.

20 CHMN STAFFORD: Granted. The Committee
21 takes official notice of Mr. Foster's testimony in the
22 Line Siting Case 225 as well. Thank you.

23 MR. ACKEN: Thank you. Thank you, Mr.
24 Foster. That is all we have today.

25 I would like to move my exhibits or offer

1 my exhibits. And I would offer SES-1 through 9, SES-10
2 is --

3 CHMN STAFFORD: Pending.

4 MR. ACKEN: -- pending.

5 CHMN STAFFORD: Exhibits SES-1 through 9
6 are admitted.

7 (Exhibits SES-1 through SES-9 were admitted
8 into evidence.)

9 MR. ACKEN: Thank you, Mr. Chairman.

10 That's all we have for now. I guess I would ask, I don't
11 believe I have any follow-ups for this Committee for
12 tomorrow morning. But if I've missed it in my notes, if
13 there's something this Committee wants us to address
14 tomorrow morning, please let us know, so we can take that
15 as a homework item and we will do so.

16 MEMBER LITTLE: Mr. Chairman?

17 CHMN STAFFORD: Yes, Member Little.

18 MEMBER LITTLE: Just the, whatever the
19 structures are that are close by the substation that we
20 discussed earlier. Thank you.

21 MR. HAZLE: I can answer that now.

22 MR. ACKEN: Oh, Mr. Hazle is coming back to
23 answer that now.

24 MR. HAZLE: Is it an appropriate time?

25 MR. ACKEN: You're still under oath.

1 MR. HAZLE: Okay.

2 We did look into the structures that were
3 kind of in that carve-out of the project area south of
4 the Moenkopi line. From aerial imagery, it appears that
5 that is a cell tower. The fenced area and a few small
6 solar panels around it. So clearly not a residential
7 structure.

8 MEMBER LITTLE: Thank you.

9 MR. HAZLE: You're welcome.

10 CHMN STAFFORD: Thank you.

11 All right. Well, Mr. Acken I guess now is
12 a good time to recess until we come back at 5:30 for
13 public comment, and we'll be back -- once that's
14 concluded, we'll come back tomorrow morning at 9:00. I
15 assume you'll want to lay some foundation and have one
16 more exhibit to admit, and then you can make your
17 closing.

18 MR. ACKEN: Sounds like a plan. Thank you.

19 CHMN STAFFORD: All right. With that, we
20 stand in recess until 5:00 -- no, 5:30, when we'll have
21 public comment.

22 We stand in recess.

23 (Recessed from 2:46 p.m. until 5:30 p.m.)

24 CHMN STAFFORD: Let's go on the record.

25 Now is the time set for public comment on Line Siting

1 Application 224. Currently we have no one in person to
2 make comment and no one on the phone or Zoom. So we will
3 go off the record until someone shows up to make comment
4 or calls in, at which time we'll go back on the record
5 and take their comments. So with that we'll go off the
6 record.

7 (Recessed from 5:30 p.m. until 6:01 p.m.)

8 CHMN STAFFORD: Let's go back on the
9 record. It is now 6:01, and there are no members of the
10 public here in person or on the phone or Zoom to make
11 comment. So with that, we will recess the hearing until
12 tomorrow morning at 9:00 when we resume.

13 Thank you. Have a good night.

14 We stand in recess.

15 (The hearing recessed at 6:02 p.m.)

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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)

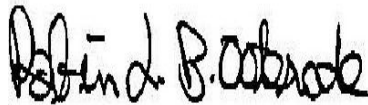
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8 the parties hereto nor am I in any way interested in the
outcome hereof.

9 I CERTIFY that I have complied with the ethical
10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206
(J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this
11 12th day of September, 2023.

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ROBIN L. B. OSTERODE, RPR
CA CSR No. 7750
AZ CR No. 50695

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17

18 I CERTIFY that Glennie Reporting Services, LLC,
19 has complied with the ethical obligations set forth in
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