

1 BEFORE THE ARIZONA POWER PLANT LS-356

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO.  
 4 TUCSON ELECTRIC POWER COMPANY, IN ) L-00000C-24-0118-00232  
 CONFORMANCE WITH THE REQUIREMENTS )  
 5 OF A.R.S. § 40-360, ET SEQ., FOR A ) LS CASE NO. 232  
 CERTIFICATE OF ENVIRONMENTAL )  
 6 COMPATIBILITY AUTHORIZING THE )  
 MIDTOWN RELIABILITY PROJECT, WHICH )  
 7 INCLUDES THE CONSTRUCTION OF A NEW )  
 138 KV TRANSMISSION LINE )  
 8 ORIGINATING AT THE EXISTING )  
 DEMOSS-PETRIE SUBSTATION (SECTION )  
 9 35, TOWNSHIP 13 SOUTH, RANGE 13 )  
 EAST), WITH AN INTERCONNECTION AT )  
 10 THE PLANNED VINE SUBSTATION )  
 (SECTION 06, TOWNSHIP 14 SOUTH, )  
 11 RANGE 14 EAST), AND TERMINATING AT )  
 THE EXISTING KINO SUBSTATION )  
 12 (SECTION 30, TOWNSHIP 14 SOUTH, )  
 RANGE 14 EAST), EACH LOCATED WITHIN )  
 13 THE CITY OF TUCSON, PIMA COUNTY, ) EVIDENTIARY HEARING  
 ARIZONA. )  
 14 \_\_\_\_\_ )

15 At: Tucson, Arizona

16 Date: July 10, 2024

17 Filed: July 23, 2024

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19 REPORTER'S TRANSCRIPT OF PROCEEDINGS

20 VOLUME III  
 (Pages 526 through 789)

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22 GLENNIE REPORTING SERVICES, LLC  
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 23 1555 East Orangewood Avenue, Phoenix, AZ 85020  
 602.266.6535 admin@glennie-reporting.com  
 24

25 By: Jennifer Honn, RPR  
 Arizona CR No. 50558

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2	VOLUME III	July 10, 2024	Pages 526 to 789

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1 BE IT REMEMBERED that the above-entitled and  
 2 numbered matter came on regularly to be heard before the  
 3 Arizona Power Plant and Transmission Line Siting  
 4 Committee at Tucson Reid Park Doubletree, 445 South  
 5 Alvernon Way, Tucson, Arizona, commencing at 9:06 a.m.  
 6 on July 10, 2024.

7

8 BEFORE: ADAM STAFFORD, Chairman

9 GABRIELA S. MERCER, Arizona Corporation Commission  
 10 LEONARD DRAGO, Department of Environmental Quality  
 11 DAVID FRENCH, Arizona Department of Water Resources  
 12 NICOLE HILL, Governor's Office of Energy Policy  
 13 R. DAVID KRYDER, Agricultural Interests  
 14 SCOTT SOMERS, Incorporated Cities and Towns  
 (via videoconference)  
 MARGARET "TOBY" LITTLE, PE, General Public  
 15 DAVE RICHINS, General Public  
 16 JOHN GOLD, General Public

15 APPEARANCES:

16 For the Applicant:

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

20 and

21 Megan Hill  
 22 Tucson Electric Power Company  
 88 East Broadway, MS HQE910  
 23 P.O. Box 711  
 Tucson, Arizona 85702

25 //

1 APPEARANCES: (continued)

2 For Banner University Medical Center and Banner Health:

3 Michelle De Blasi, Esq.  
4 LAW OFFICE OF MICHELLE DE BLASI, PLLC  
5 7702 East Doubletree Ranch Road  
6 Suite 300  
7 Scottsdale, Arizona 85258

8 For City of Tucson:

9 Roi L. Lusk, Esq.  
10 Principal Assistant City Attorney  
11 Jennifer J. Stash, Esq.  
12 Senior Assistant City Attorney  
13 P.O. Box 27210  
14 Tucson, Arizona 85726

15 For Underground Arizona:

16 Daniel Dempsey, Director  
17 737 East 9th Street  
18 Tucson, Arizona 85719

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

3 (Clark Bryner and Larry Robinson, as a  
4 panel were previously duly sworn by the Chairman.)

5 Before the applicant continues with its  
6 presentation, I believe Member Hill had some questions,  
7 some follow-up questions to ask.

8 Member Hill.

9 MEMBER HILL: Thank you, Mr. Chair. Good  
10 morning, everyone.

11 So I really appreciate the conversation  
12 and, frankly, education about the difference between the  
13 distribution system and the service poles in the diagrams  
14 that we've looked at.

15 I was wondering if we could look at  
16 slide 72. It's like you guys know what I was looking  
17 for. I didn't expect that.

18 MR. BRYNER: We were just trying to be  
19 responsive. We don't know you were going to bring this  
20 up honestly.

21 MEMBER HILL: All right. So I think TEP  
22 has done a lot to try and figure out how to mitigate the  
23 visual aspects of this, and so these visualizations are  
24 really helpful to me.

25 And so I wanted to talk a little bit about



1 a couple of the visualizations and the potential to  
2 actually have to add some poles for service to homes.

3 So, Mr. Robinson or Mr. Bryner, when I'm  
4 looking at the before condition, I see a couple of -- and  
5 I'm not going to have to technical terms here -- but,  
6 like, poles down to houses for service off of some of the  
7 poles that in the simulation appear to be removed.  
8 Exactly. But that's the best example.

9 So I'm curious if the -- how the  
10 visualization might actually end up being different  
11 because those homeowners might not want to underground.

12 Will there be poles on the right side of  
13 the street there, or will it actually be pole-free the  
14 way the visualization looks?

15 MR. BRYNER: Yeah. So Mr. Robinson is  
16 prepared to provide a clarification and some additional  
17 information on that.

18 MEMBER HILL: Thank you. Okay.

19 MR. ROBINSON: Yeah. So during projects  
20 where we are undergrounding distribution to make space  
21 for overhead transmission line, the designers that are  
22 doing those underground distribution sections have two  
23 options depending on what makes the best sense to them,  
24 right.

25 And one of them is to set a service pole at

1 the property line where the underground service wire will  
2 come to the pole, up the pole, and then serve the  
3 customer overhead just like they currently are being  
4 served.

5 And the second option is to potentially  
6 upgrade the service entrance on the house and run  
7 underground across their property to that service  
8 entrance.

9 Under all -- under both of those scenarios,  
10 as part of the project, TEP would pay for that.

11 MEMBER HILL: Okay. And consult with  
12 landowners to see how they want to -- to do that?

13 MR. ROBINSON: So that decision would be  
14 based on the designer's choice, right --

15 MEMBER HILL: Okay.

16 MR. ROBINSON: -- and what makes most sense  
17 for the distribution system.

18 If a customer chooses to say we wanted to  
19 put a service pole and an overhead the way they currently  
20 being are served, and they choose to say, no, we want  
21 underground service, then -- then we would ask them to  
22 put the service upgrade and the conduit in --

23 MEMBER HILL: On their property?

24 MR. ROBINSON: -- on their property, and we  
25 would put in the wire and all of that.

1 MEMBER HILL: Okay. That's helpful.

2 CHMN STAFFORD: Quick question on that.

3 What's the estimate of cost on that if the homeowner  
4 would have to do that?

5 MR. ROBINSON: So, of course, that varies  
6 greatly depending on how far they have to trench.  
7 Trenching is probably going to be around 1500 to as much  
8 as \$2,500.

9 CHMN STAFFORD: And that would be pretty  
10 much the extent of their costs?

11 MR. ROBINSON: Under this scenario --

12 CHMN STAFFORD: Yeah.

13 MR. ROBINSON: -- yes because we would put  
14 in -- well, let me correct that. They would also need to  
15 upgrade their service panel to have an underground  
16 service panel also at their cost. And that's going to be  
17 roughly another thousand dollars.

18 CHMN STAFFORD: So anywhere between 25 to  
19 35?

20 MR. ROBINSON: 25 to 35. Yeah.

21 CHMN STAFFORD: Okay.

22 MR. ROBINSON: Roughly. Right.

23 CHMN STAFFORD: Thank you.

24 MEMBER HILL: Okay. I think if we go back  
25 to Slide 70, I -- 7 -- so this is 72. 70.

1 I was noticing that -- so in this scenario,  
2 there's that apartment complex that's on the left-hand  
3 side of the road there, and it looks like there's some  
4 lines running into it similarly.

5 So in this scenario -- the last scenario it  
6 was the potential to have service poles on one side and  
7 the 135kV on the road. In this scenario, the future will  
8 be the 135kV on the left.

9 Would you put service poles underneath that  
10 to provide service to those folks, or would you under  
11 build them as part of the -- I'm just kind of curious the  
12 visualization looking differently here.

13 MR. ROBINSON: Yeah. So under this  
14 scenario if there was an overhead service in that  
15 corridor, we would put a service pole on the property  
16 line and come to that service pole underground, riser up  
17 to the pole and then go directly to the house.

18 MEMBER HILL: Okay. All right. So it  
19 might just be underneath this line, though, like below --

20 MR. BRYNER: So I actually -- if I can just  
21 throw in a couple of words here. I think this one is  
22 actually a pretty accurate visual depiction in the -- in  
23 the picture on the right of what it would look like with  
24 the exception of I see we have some remnant wires right  
25 here.

1 But basically that distribution would be  
2 placed underground, and to Mr. Robinson's point, it would  
3 riser up at approximately that pole location. We'd  
4 probably have to change out that pole.

5 MEMBER HILL: Okay.

6 MR. BRYNER: And then those poles are going  
7 down. In a lot of this area of town, the distribution  
8 system runs down the alleyways, and then those services  
9 come off the alleyways.

10 So in most cases, we wouldn't -- we  
11 wouldn't really be faced with this position of having a  
12 service coming off the poles and directly on our road.  
13 There would be some cases where that would be the case,  
14 but for the most part, they're coming off of services in  
15 the alleyways.

16 MEMBER HILL: Okay. All right. That's  
17 helpful. I think when we go on the tour, it might be  
18 nice to kind of just look more closely at some of these  
19 areas where we think it would all end up being  
20 undergrounded, but then we'd have to come up for service  
21 poles just so that we kind of -- because we've talked  
22 about how many poles you've -- you're taking out because  
23 of the removal of the 46kV, but there might be places  
24 where you're actually leaving or replacing, you know,  
25 service poles because they've been under built or

1 something else different. So I just think it would be  
2 great during the tour if we could talk about that a  
3 little bit in some spots.

4 MR. BRYNER: That's fair.

5 MEMBER HILL: Yeah.

6 MR. BRYNER: And we can think of a couple  
7 of good spots where we might -- we might be able to have  
8 that discussion.

9 MEMBER HILL: I was driving around to get  
10 coffee this morning, and all I did was look around at  
11 those wires. So I've become obsessed with this. And I  
12 apologize. And I'll calm down about it.

13 But I really appreciate you guys taking the  
14 time. I just feel like as the public thinks through  
15 these things I'm kind of asking similar questions and so  
16 trying to think through the visualization, so thank you.

17 CHMN STAFFORD: Thank you.

18 Member Little, you had a question?

19 MEMBER LITTLE: Yes. I'm just curious.

20 That one pole on the right-hand side that we were talking  
21 about there that's in the background, that has a  
22 transformer on it.

23 Transformers would be pad mounted if the  
24 distribution is removed; right?

25 MR. ROBINSON: That's correct.

1 MEMBER LITTLE: Correct?

2 And then from there you would go to a  
3 service pole if the -- if the service was going to remain  
4 overhead to a customer?

5 MR. ROBINSON: That's correct. Either down  
6 the alleyway or to a service pole at the property line to  
7 riser up.

8 MEMBER LITTLE: Thank you.

9 CHMN STAFFORD: Any other questions from  
10 Members?

11 Mr. Ancharski, please proceed. Oh,  
12 Ms. Hill.

13 CHMN STAFFORD: Oh, Ms. Hill.

14 MS. HILL: Sorry. You got me today.

15 CHMN STAFFORD: As long as we have at least  
16 one Megan.

17 MS. HILL: We appreciate that.

18 So, Mr. Chair, with your permission we  
19 would like to follow up first on a couple of things that  
20 were -- a couple of questions that were asked on the  
21 first panel.

22 And so with your permission I would like to  
23 recall Mr. Lindsey to follow up on the information about  
24 the City of Tucson statistics that were requested.

25 CHMN STAFFORD: Excellent.

1 MS. HILL: Mr. Lindsey, could you rejoin us  
2 please.

3 Thank you. Good morning.

4 CHMN STAFFORD: I remind you that you're  
5 still under oath.

6 MR. LINDSEY: Yes, sir.

7

8 CLARK BRYNER AND LARRY ROBINSON (cont.),  
9 called as witnesses as a panel on behalf of Applicant,  
10 having been affirmed or sworn and/or previously affirmed  
11 or sworn by the Chairman to speak the truth and nothing  
12 but the truth, were examined and testified as follows:

13

14 CHRIS LINDSEY (recalled),  
15 recalled as a witness joined the panel on behalf of  
16 Applicant, having been previously affirmed or sworn by  
17 the Chairman to speak the truth and nothing but the  
18 truth, was examined and testified as follows:

19

20 DIRECT EXAMINATION

21 BY MS. HILL:

22 Q. Mr. Lindsey, do you recall the conversation from  
23 yesterday and the questions from the Committee Members  
24 about the number of City of Tucson customers and the sort  
25 of percentage of our load and/or usage that the City of



1 Tucson customers specifically encompassed?

2 A. (Mr. Lindsey) Yes. I do.

3 Q. Do you have some responses and some information  
4 for the Committee in response to those questions?

5 A. (Mr. Lindsey) I do, yes.

6 Q. Could you share that with the Committee, please?

7 A. (Mr. Lindsey) So I believe there were two  
8 questions, as you mentioned Ms. Hill, related to the City  
9 of Tucson city limits.

10 And thank you for giving us a little bit of time  
11 to track this down. It's not really how we look at our  
12 customer base every day, so it took us a little bit of  
13 time to get the second statistic here for you, but the  
14 easier part was the customer count breakdown.

15 So out of -- and I think this is a two-part  
16 question. So total number of customers today is 455,861  
17 customers in our service area.

18 Out of that within the City of Tucson city  
19 limits there are 252,754 customers. That breaks down to  
20 approximately 55 percent of our customer base is within  
21 the City of Tucson.

22 That was the easy part. The hard part was  
23 finding out what the peak load percentage looks like.  
24 So, as you can imagine, our system is designed to serve  
25 our service area, not so much to follow the boundaries of

1 the cities.

2           So we did a little bit of work, and that number  
3 is a little more approximate. There are a few circuits  
4 at several substations that reach outside the city or  
5 come into the city. But that number is roughly  
6 60 percent of our peak load from 2023. So we're basing  
7 that number off of last summer's peak.

8           60 percent of our peak load in our service area  
9 can be contributed to the City of Tucson.

10           CHMN STAFFORD: I had a quick follow-up  
11 question.

12           What day was your peak load last summer?

13           MR. LINDSEY: I'm going to find it.

14           CHMN STAFFORD: Yeah -- because I'm sure  
15 it's in your -- someone prepared this thing for this  
16 year's rate, but I can't recall what it was off the top  
17 of my head.

18           And, if you could, like, just the day and  
19 the total megawatts whatever it was, that would be -- you  
20 can chime in whenever you find it, but in the meantime  
21 please proceed.

22           MS. HILL: Thank you, Mr. Chair. We just  
23 have a couple of other details too.

24 BY MS. HILL:

25 Q. Mr. Robinson, did you have any additional

1 information for the Committee at this time based upon  
2 questions from yesterday?

3 A. (Mr. Robinson) I think those questions were  
4 asked and answered by Member Hill this morning, so thank  
5 you.

6 Q. Okay. Thank you.

7 And, Mr. Bryner, do you have an update for the  
8 Committee about the questions they had yesterday for  
9 the -- regarding the right-of-way -- or the corridor  
10 request for this project?

11 A. (Mr. Bryner) Sure. So yesterday we talked  
12 about our requested corridor width of 400 feet and some  
13 concern about that being a little bit too generous in  
14 some areas.

15 And so what we are doing right now is looking at  
16 developing an exhibit to show to you that would propose  
17 corridors of varying widths along different roads. It  
18 would encompass those road rights-of-way and a sufficient  
19 buffer for any future plans for future expansion of that  
20 right-of-way and any potential aerial easements that we  
21 would need to accommodate our line, and we'll be prepared  
22 to share that exhibit with you on Friday.

23 CHMN STAFFORD: Thank you.

24 BY MS. HILL:

25 Q. And, Mr. Bryner, too, do you have an update for

1 the Committee regarding the calculation or the  
2 designation of the low-income population?

3 A. (Mr. Bryner) Sure. So we did some -- well, I  
4 won't say research -- just looking at our past notes of  
5 what we did to calculate the low-income areas. And the  
6 data was correct, as I mentioned, that it came out of the  
7 census, the 2020 census. And it was a direct number.  
8 They provide numbers by the geographic areas with that --  
9 with the poverty level for that census tract.

10 But the way that they develop it -- and I think  
11 Chairman Stafford mentioned this, but I'll just put it on  
12 the record that the census bureau, they use a set of  
13 money income thresholds varying by family size, and so,  
14 you know, if it's a family of one, it's one income level,  
15 if it's two, three, four, five, it's all different  
16 levels. But if that family is below that designated  
17 threshold -- and I could give you those if you wanted,  
18 but they're published on the census -- then that family  
19 is considered below the poverty line.

20 And so when the number of families within a  
21 geographic area exceeded the percentage of the City of  
22 Tucson as a whole, which we discussed was -- and actually  
23 let me clarify I said 19.8 percent. It's actually  
24 19.6 percent. Somewhere along the line I transposed a  
25 couple of numbers. So anything below that was -- or,

1 sorry, anything exceeding that was considered a  
2 low-income area for purposes of our study.

3 Q. All right. Thank you, Mr. Bryner.

4 MS. HILL: And, Mr. Chair, do you want  
5 Mr. Lindsey to remain at the table until he can respond  
6 to your question, or would you like to excuse him for now  
7 and we can check in with him later?

8 CHMN STAFFORD: Unless you have the answer  
9 right now, then you can give it and be done. Otherwise,  
10 you can be excused and come back later, whatever is  
11 appropriate.

12 MR. LINDSEY: Mr. Chair, we're ready.

13 CHMN STAFFORD: Okay. Thank you.

14 MR. LINDSEY: So peak load for 2023 was  
15 2,456 megawatts, and that occurred July 23 at it looks  
16 like 4:15 p.m.

17 CHMN STAFFORD: Thank you.

18 MS. HILL: Thank you, Mr. Lindsey.

19 May Mr. Lindsey be excused?

20 CHMN STAFFORD: Yes.

21 MS. HILL: Okay. Thank you.

22 MR. LINDSEY: Thank you.

23 BY MS. HILL:

24 Q. Okay. Mr. Bryner, are you ready to proceed with  
25 Route D?

1 A. (Mr. Bryner) I'm ready if everybody else is.

2 Q. And do we need to advance the slide?

3 CHMN STAFFORD: So we're starting on  
4 slide 82?

5 MR. BRYNER: Yes.

6 CHMN STAFFORD: Okay.

7 BY MS. HILL:

8 Q. All right. Mr. Bryner, are you prepared to  
9 present Route D to the Committee?

10 A. (Mr. Bryner) Yes.

11 Q. All right. Please proceed.

12 A. (Mr. Bryner) Okay. So yesterday we went over  
13 our preferred route, which was Routes B and Route 4.

14 I want to present these next two routes, which  
15 are Routes D and Route 1, in kind of a combination  
16 package as well. And that's because they have some  
17 similar themes. They both go down Campbell Avenue.

18 So if I were to give this route a name, I would  
19 call it the Campbell Route. And as we discussed,  
20 Campbell Avenue is a Gateway Corridor. So it's kind of  
21 if you were to pick one of these, it would make sense to  
22 pick both, in my mind.

23 We'll first talk about the alternative Route D  
24 between DeMoss Petrie and Vine Substations.

25 So, again, starting with the right-hand screen,

1 just some various numbers pertaining to the route. So  
2 the route would cost around \$8.7 million. Again, that's  
3 all-in costs for the route.

4 It would be about 3.8 miles in length, go  
5 through less residential, just .2 miles of residential  
6 area. And all of that would be within an area considered  
7 low income by the criteria we've established, about  
8 .3 miles of historic districts.

9 It continues to use quite a bit of existing  
10 overhead utility corridor at 63 percent for the route as  
11 a whole, and it would result in us moving 1.7 circuit  
12 miles of existing lower voltage distribution underground  
13 and also 7.2 miles of overhead communication wires.

14 As far as comments went on this route, we didn't  
15 receive a lot of comments opposed, just two comments that  
16 were specifically opposed to this. One because they were  
17 against the use of Campbell Avenue and another because it  
18 was a less direct route.

19 As far as comments in support of this route, we  
20 received 20 comments specifically in support of using  
21 this route for various reasons.

22 The largest of which was a lesser impact on the  
23 neighborhoods. As you can see on the map on Slide 84  
24 shown on the left screen, you know, the route doesn't  
25 enter into these neighborhoods. It instead uses the

1 arterial roads. And that's the second major supporting  
2 item for this is it maximizes the use of some of your  
3 major roads.

4 So I want to turn our attention now to the map  
5 and just describe the route. As Mr. Robinson mentioned  
6 before, he went through his engineering analysis. A lot  
7 of these routes have common areas, so I'm not going to  
8 repeat myself. What held true yesterday along Grant Road  
9 still holds true today for Route D.

10 CHMN STAFFORD: So we're looking at the map  
11 on Slide 84; right?

12 MR. BRYNER: Correct, Slide 84.

13 So I'll begin my discussion at Park Avenue  
14 and Grant where we deviate from Route B.

15 So beginning -- oops, wrong remote.

16 So beginning at Park Avenue -- we talked --  
17 to the west on Grant Road it's primarily commercial.  
18 Once you get to Park moving east on Grant Road, as you  
19 can see on the map you've got a lot of those tan areas,  
20 it does become primarily residential on either side of  
21 the road.

22 But the road still is a major arterial  
23 road. And also at this point -- let's see, how I do want  
24 to say this. The public infrastructure project or public  
25 improvement project that I spoke about yesterday on Grant



1 Road, it hasn't yet taken place from this point east.  
2 But that's the next phase of that project, and so it is  
3 going to undergo a widening in the very near future.

4 CHMN STAFFORD: So just refresh me, Grant  
5 Road is not a Gateway Corridor; correct?

6 MR. BRYNER: That's correct.

7 CHMN STAFFORD: Okay. I'm trying to keep  
8 it all straight in my head here.

9 MS. HILL: Mr. Bryner.

10 MR. BRYNER: There a lot of facts.

11 CHMN STAFFORD: Yes.

12 BY MS. HILL:

13 Q. Just to clarify, though, for the chairman's  
14 question, is there a portion of the gateway -- of Grant  
15 Road where it crosses Oracle that does do a perpendicular  
16 crossing of the Gateway Corridor?

17 A. (Mr. Bryner) That's correct.

18 Q. And just to be clear for that, TEP is planning  
19 on applying for a special exception; is that correct?

20 A. (Mr. Bryner) That's correct.

21 Q. Thank you.

22 CHMN STAFFORD: And Campbell Avenue is a  
23 Gateway Corridor; correct? Okay.

24 MR. BRYNER: Also correct.

25 So, again, we don't go into the

1 neighborhoods themselves. We stay on the major road.  
2 Once we get to Campbell Avenue, we now turn south and  
3 parallel along Campbell Avenue.

4 And, as we just discussed, Campbell Avenue  
5 is a Gateway Corridor. We would not be crossing it  
6 perpendicularly. We would be paralleling that road  
7 within the road right-of-way.

8 BY MS. HILL:

9 Q. And so, Mr. Bryner, then just for this moment  
10 too is then this section of Campbell Avenue because it's  
11 paralleling the Gateway Corridor, is this an area where  
12 we would be asking the Committee to make the finding  
13 under 40-360.06(D) regarding unduly restrictive and not  
14 feasible?

15 A. (Mr. Bryner) That's correct.

16 Q. Thank you. Just discussing the land uses along  
17 Campbell Avenue, you can see in the northwest -- sorry,  
18 southwest corner of Campbell and Grant Road -- you do  
19 have some commercial uses right in there. Other than  
20 that the adjacent land uses are primarily residential.

21 Once you get down to Ring Road or Elm, it's kind  
22 of Elm on the east side, Ring Road on the west side of  
23 the road. Then you get into the Banner - UMC campus is  
24 located just on the south side of Ring Road. On the  
25 north side you get into residential areas within the

1 Jefferson Park neighborhood.

2 In this area, it's an area similar to the  
3 situation we faced along Adams Street where we had a 46kV  
4 line in an alleyway, and we couldn't build there. In  
5 this situation just north of Ring Road, there's an  
6 alleyway, and we have a 46kV line there that initially  
7 was identified as an opportunity. Same story, we  
8 couldn't go there to rebuild that, and so we looked at  
9 adjacent road.

10 So Lester Road is the road on the south side.  
11 And this is one of those areas where we liked the  
12 400-foot-wide width because it gave flexibility to go on  
13 either Ring Road, which is actually a private road owned  
14 by Banner, or Lester, which is a public road where we  
15 have rights to be on the road right-of-way through our  
16 franchise, but it also puts it closer to homes.

17 And I'm sure Banner will talk about in their  
18 testimony they've worked out arrangements with the  
19 neighborhood there to kind of protect a corridor that's  
20 been developed there. And, you know, I forgot I have  
21 visual simulations along here. So I'm going to show you  
22 a picture of that so you can get an idea. I'll see what  
23 other visual simulations I might have missed along the  
24 way.

25 So we'll jump back to that in just a second to

1 about where I was at. Let's just take a quick look at  
2 this visual simulation.

3 So this is back up on Grant Road looking to  
4 the -- looking to the west. So this is the area that I  
5 mentioned, it is residential on either side of the road.  
6 Still a major road two lanes in each direction with a  
7 turn lane down the middle. No overhead utilities today  
8 on this stretch, and so we would place our line there.

9 CHMN STAFFORD: Looking at slide 85 KOP 33?

10 MR. BRYNER: That's correct.

11 Sorry. I will try to point out those slide  
12 numbers.

13 CHMN STAFFORD: I'm anticipating reading  
14 the transcript later. It will be easier to recall which  
15 image we were discussing if it was specifically called  
16 out by the slide number.

17 MR. BRYNER: Sure.

18 MEMBER FRENCH: Mr. Chairman.

19 CHMN STAFFORD: Yes, Member French.

20 MEMBER FRENCH: Mr. Bryner, could we --  
21 perfect. Can you describe what this roadway will look  
22 like post-expansion project?

23 MR. BRYNER: I don't know that I'm  
24 100 percent prepared to share what that would be like. I  
25 know the public improvement plans are out there, but I'm

1 not well versed in them. I can make an assumption if  
2 you'd like me to.

3 MS. HILL: Mr. -- I'm sorry. Let me  
4 interject. Mr. Bryner, Mr. Lusk's witness may be  
5 prepared to answer that.

6 MR. LUSK: That's correct, Mr. Chair,  
7 Member.

8 MEMBER FRENCH: Thank you. I'll hold my  
9 question until then.

10 MR. BRYNER: Thank you.

11 CHMN STAFFORD: Excellent. It's like  
12 you're reading my mind.

13 MEMBER LITTLE: Mr. Chairman.

14 CHMN STAFFORD: Yes, Member Little.

15 MEMBER LITTLE: It looks like the -- from  
16 Grant Road to Campbell Avenue looking on the map over  
17 here, it looks like maybe two-thirds of it is -- has  
18 residential on both sides as we see here, but another  
19 third of it has residential on one side and commercial on  
20 the other perhaps?

21 MR. BRYNER: That's correct. Yes. So I  
22 think you're referring to the area basically from 1st  
23 Avenue --

24 MEMBER LITTLE: Oh, yes, 1st Avenue. Thank  
25 you.

1 MR. BRYNER: -- past Park, right in that  
2 area. So that would be commercial on the south side of  
3 Grant Road.

4 MEMBER LITTLE: That's correct. Thank you.  
5 I was mistaken.

6 MR. BRYNER: So looking at -- oh, did I --  
7 Grace, I might have ruined it.

8 MR. ROBINSON: Clark, while she's squaring  
9 that up, I just want to add to this.

10 This is a prime example, Member Hill, where  
11 there's residential street side, but all of the services  
12 and distribution run on the back alleyway lot lines.

13 So, as you can see in that rendering -- if  
14 you can go back, Clark. You can see in that rendering  
15 there's no street side distribution along that area.

16 CHMN STAFFORD: This one here on Slide 86?

17 MR. BRYNER: Were you wanting to look at  
18 Slide 85?

19 CHMN STAFFORD: No. This is fine.

20 MR. BRYNER: Okay. When I go backwards,  
21 sometimes I break our presentation.

22 CHMN STAFFORD: Okay. So we're talking  
23 about this picture is what you're referring to,  
24 Mr. Robinson?

25 MR. ROBINSON: Yes. KOP 33 on Slide 85.

1 CHMN STAFFORD: Okay.

2 MR. BRYNER: Now, looking at Slide 86 or  
3 KOP 35. So this is looking south along Campbell Avenue,  
4 so Campbell Avenue is a gateway in this stretch. As I  
5 pointed out before, there are some commercial uses here.  
6 You can't really see them in the photo because they're  
7 just behind the chain link fence on the left-hand side of  
8 the photo. And then you have residential uses.

9 They're set back a ways away from the major  
10 road. There's a frontage road along Campbell in this  
11 stretch. So they're set back quite a ways.

12 And then that larger building you can see  
13 in the center of the picture, that is the hospital, the  
14 Banner hospital.

15 And we would have to do some -- I don't  
16 know if, Mr. Robinson, if you want to talk about what's  
17 going on with these structures going all over the road.

18 MR. ROBINSON: Yeah. For this route in the  
19 detail we haven't completed the detailed engineering yet,  
20 but we anticipate that as we approach the intersection at  
21 Grant and Campbell because some of the commercial that's  
22 currently there that we'd have to go to the east side of  
23 Campbell and then proceed a span to the south along  
24 Campbell on the east side and then cross Campbell at a  
25 diagonal.

1                   And some of our routes coming up in the  
2 future, we indicate that their commercial setbacks and  
3 buildings are narrow, and we would have to cross zigzag  
4 across the streets there's noted. This is a good example  
5 of one of the renderings that shows a zigzag cross across  
6 Campbell.

7                   CHMN STAFFORD: Is that a factor making  
8 this one not the preferred route?

9                   MR. ROBINSON: I think in reality, the  
10 impact of that is just it has a greater visual impact at  
11 that specific area where you're crossing underneath the  
12 wire across the street on a diagonal. I just want to  
13 point that out.

14                  CHMN STAFFORD: And that is the Gateway  
15 Corridor too?

16                  MR. ROBINSON: That is also the Gateway  
17 Corridor, yes.

18                  MR. BRYNER: And to answer your question,  
19 Chairman Stafford, so that was one of the factors that  
20 certainly weighed in. But if you look at your placemat,  
21 we had I think it's 19 different factors that we looked  
22 at.

23 BY MS. HILL:

24           Q.     Mr. Bryner, I'd just like to follow up on that  
25 question of the Chairman's for a minute, if we could.



1 Did timing or potential timing of being able to  
2 build the Campbell Route play into it not being a  
3 preferred route?

4 A. (Mr. Bryner) Yeah. That's correct. As we go  
5 long and look at some of the other variables on this and  
6 as I discuss our siting study on panel 3, you'll see some  
7 of the other things that we looked at, and you're going  
8 to see that Campbell Avenue in many, many respects plays  
9 out as a better route. It's more direct, has fewer  
10 environmental issues, fewer land use issues, but it is a  
11 Gateway Corridor Zone, and there's -- as we've discussed,  
12 there's some unknowns about that, some legal challenges  
13 that might be tied up for a time, and we do need to get  
14 this project built.

15 Q. And, Mr. Bryner, the legal challenges  
16 themselves, do they contribute to a concern about delay  
17 in the project and our ability to build it if Campbell  
18 were to be our preferred route?

19 A. (Mr. Bryner) Yes. They certainly do.

20 Q. And as a result of the Committee -- even if the  
21 Committee were to make a finding that allowed us to  
22 parallel a Gateway Corridor down Campbell, are we asking  
23 that the Committee also choose an alternate route so that  
24 in the event that there is subsequent litigation building  
25 the project is not unduly delayed?

1 A. (Mr. Bryner) Yes. We are.

2 Q. Thank you.

3 A. (Mr. Bryner) All right. This is where we kind  
4 of left off in our discussion as I was describing the  
5 route on Slide 84, and now we're on Slide 87 looking at  
6 key observation point 28.

7 So this is a -- this is a -- a park. It also  
8 serves as a retention -- stormwater retention for the  
9 hospital. But it's that buffer zone that was created by  
10 the hospital between Jefferson Park and the hospital.  
11 And it lies in between Ring Road and Lester Street.

12 And so we were asking for the flexibility to be  
13 located on Lester or Ring or anywhere in between. But  
14 one of the things that we -- we spoke about with -- with  
15 the parties, with Banner and the neighborhood, that if  
16 Route D or any of the routes that go down this corridor  
17 were selected by the Committee, that we would work -- we  
18 would want to have the flexibility to work with them to  
19 identify the best location for those poles.

20 And this is on Lester Street. We're on key  
21 observation point 27, Slide 88 on Lester Street at Vine  
22 Avenue looking back to the east towards where that last  
23 key observation point was at. So this does illustrate  
24 the poles going down the south side of Lester Street.

25 And if you look in the photo simulation on the

1 right, this last pole that you see right here, that would  
2 be the final pole before dropping into the Vine  
3 Substation.

4 And in this area you can see right here, you do  
5 have residential on the north side. On the south side,  
6 it's -- it looks -- it looks residential right there, but  
7 those are actually buildings that are part of -- they're  
8 owned by the Arizona Board of Regents.

9 CHMN STAFFORD: And so along the street all  
10 the distribution infrastructure is in the alley behind?

11 MR. BRYNER: Correct. Yeah. And thank you  
12 for bringing that up.

13 Yeah. What you don't see just north of  
14 this street is an alleyway that has overhead 46kV,  
15 overhead distribution, and then your communications. And  
16 so that 46kV would be retired. And the distribution we  
17 wouldn't plan to touch that as part of this project  
18 because it would be out of the way, I guess.

19 CHMN STAFFORD: And that's the 4kV  
20 distribution line?

21 MR. BRYNER: I believe it's the -- so we  
22 have some areas that are 4kV, some that are 14kV. I  
23 believe this area is 4kV still.

24 CHMN STAFFORD: But as part of this whole  
25 project you're looking to move all the 4kV to 14kV;

1 correct?

2 MR. BRYNER: That's correct.

3 CHMN STAFFORD: Okay.

4 MR. ROBINSON: Mr. Chairman.

5 CHMN STAFFORD: Yes, Member Richins.

6 MEMBER RICHINS: Just a question on this  
7 6-D route. I'm trying to reconcile the colors here with  
8 the route from Kino to Vine appearing to go up Euclid  
9 along the railroad and then up Stone and back over  
10 circling into Vine via Campbell. My understanding that's  
11 Route 6 correctly.

12 MR. BRYNER: So Route 6 is the pink line.

13 MEMBER RICHINS: Yeah.

14 MR. BRYNER: Okay.

15 MEMBER RICHINS: So it appears to come up  
16 and parallel Route D along Grant.

17 MR. BRYNER: It does, yes. Yeah, you are  
18 understanding that correct.

19 MEMBER RICHINS: We would have two sets of  
20 138 poles --

21 MR. BRYNER: If we --

22 MR. RICHINS: -- with that selection?

23 MR. BRYNER: Sorry. Yes, sir. I didn't  
24 mean to speak over you.

25 MEMBER RICHINS: You're good. No. You're

1 good.

2 MR. BRYNER: Yeah, Member Richins, you're  
3 absolutely correct. And there's a number of routes that  
4 would be that way if we selected the correct or incorrect  
5 combination of routes where you would have both circuits  
6 going into the Vine Substation sharing poles for, you  
7 know, anywhere from several miles to, you know, just a  
8 few hundred feet.

9 MEMBER RICHINS: Would it be -- sorry.  
10 Would it be one set of poles with two sets  
11 of 138 lines?

12 MR. BRYNER: Yes.

13 MEMBER RICHINS: So we would just see  
14 something like this with a double -- would it be like on  
15 either side of the pole? Would it be up, down?

16 MR. ROBINSON: Yeah, that's correct. It  
17 would be a double-circuit configuration with a circuit on  
18 the opposite of each side on --

19 MEMBER RICHINS: Okay.

20 MR. ROBINSON: -- at the top opposing  
21 each --

22 MEMBER RICHINS: Okay. So similar to the  
23 photo in the simulated condition on KOP 27, but there  
24 would be arms that would come out for both down Grant --

25 MR. ROBINSON: That is correct.

1 MEMBER RICHINS: -- and part of Campbell  
2 and then swinging into Vine? Okay.

3 MR. ROBINSON: If the siting selection was  
4 Route D-6.

5 MEMBER RICHINS: Yeah.

6 MR. ROBINSON: That's correct.

7 MEMBER RICHINS: Yeah. Okay. And because,  
8 yeah, I did notice that that finds itself on a number of  
9 these routes. It's, like, wait, I got to understand. So  
10 thank you for the clarification.

11 MR. BRYNER: Yeah. And that's -- it's both  
12 good and bad. It's good from an overall poles  
13 perspective because you're going to have fewer poles that  
14 you're going to put in.

15 It's less ideal from a reliability  
16 standpoint because now we have both circuits going into  
17 the same location -- both sources going into that  
18 substation are on -- in the same location.

19 So not that we're overly concerned about a  
20 pole failure or something like that, but from a  
21 maintenance standpoint, when you need to do some  
22 maintenance, you're likely going to need to do that  
23 energized. Our preference is to take it de-energized,  
24 de-energize that line so we can get up there and do our  
25 work. We do do things energized or hot. It just is a

1 little more involved.

2 And so minimizing the amount of area where  
3 we sort of have both our eggs in the same basket is  
4 preferential for the company.

5 MEMBER RICHINS: Oh, okay. That's  
6 interesting. Thank you.

7 MR. LINDSEY: Mr. Chairman.

8 CHMN STAFFORD: Member Little.

9 MEMBER LITTLE: If by some chance this were  
10 to be -- 6-D were to be chosen as the preferred route and  
11 it were to be undergrounded along that street where we've  
12 got the double circuit, what would that involve as far as  
13 underground vaults and the conduit casings?

14 Would it be, like, twice as wide, twice as  
15 deep?

16 MR. BRYNER: Those are great questions,  
17 Member Little. Any chance we could have that held off  
18 for our underground panel that we have planned for  
19 Friday?

20 MEMBER LITTLE: Absolutely. Thank you.

21 MR. BRYNER: Okay.

22 MS. HILL: And, Mr. Chair, if I could, I'd  
23 just like to remind the Committee that in the event that  
24 Routes 5 or 6 are chosen we are asking the Committee to  
25 also choose an alternate route because of the uncertainty

1 of the railroad right-of-way.

2 CHMN STAFFORD: Yes. Thank you.

3 I have 5 and 6 as special railroad  
4 attention in my notes.

5 MEMBER GOLD: Mr. Chairman.

6 MR. ROBINSON: Member Little, can I just --

7 CHMN STAFFORD: Yes.

8 MR. ROBINSON: -- ask that --

9 CHMN STAFFORD: One second.  
10 Member Gold.

11 MEMBER GOLD: Campbell Avenue is what is  
12 called a gateway avenue?

13 MR. BRYNER: A Gateway Corridor, Gateway  
14 Corridor Zone is what we generally refer to it as.

15 MEMBER GOLD: So if Campbell Avenue is a  
16 main or Gateway Corridor that we want to I guess not have  
17 wires showing on because it's a Main Street that a lot of  
18 people travel and visitors travel on, you would -- I  
19 would eliminate this simply because it's going to create  
20 a lot of hassles unless you underground it. And if you  
21 underground it, we have no say in the matter.

22 Am I correct in that assumption?

23 CHMN STAFFORD: Let me answer that, Member  
24 Gold.

25 Well, the Committee can approve a route.



1 And then the statute says that the CEC will be  
2 conditionally in compliance with city ordinances.

3 So if we issued the CEC and didn't make the  
4 special finding that the ordinance is unduly restrictive,  
5 then to build it they would have to underground to comply  
6 with the City's -- the Gateway Corridor because that's  
7 what that is.

8 So but if the Committee found that it was  
9 overly restrictive, it could issue the CEC  
10 notwithstanding that requirement from the City.

11 MEMBER GOLD: It seems like this would be  
12 more complicated than the route that they preferred, but  
13 that's for us to decide.

14 CHMN STAFFORD: Right. I think so. Yes.  
15 I would agree with that assessment, Member Gold.

16 MR. BRYNER: And then to your point, Member  
17 Gold, that's another one of the factors that went into  
18 our reasoning in not identifying this as the preferred.

19 You know, if we have another route that  
20 is -- that we can build that respects the City's Gateway  
21 Corridor, then, you know, that -- that played into our  
22 decision.

23 MEMBER GOLD: Well, I would say, in  
24 complimenting you on what you've done, you've gone far  
25 deeper into this.

1 MEMBER KRYDER: Into your microphone.

2 MEMBER GOLD: I would compliment you on  
3 what you've done giving all these routes and alternates.  
4 It looks like you've put a lot of effort into figuring  
5 out which should be the preferred route for a lot of good  
6 reasons.

7 So what you're doing is you're showing us  
8 alternate routes and justifying why you didn't choose it.

9 Am I correct in this assumption? That's  
10 why we're looking at the alternate routes now?

11 MR. BRYNER: That is correct. Every route  
12 has some good things about them and some bad things, and  
13 it's what's important to you, to the Committee.

14 MEMBER GOLD: And your experts have weighed  
15 those things back and forth, and I'm gathering your  
16 experts are better than my engineering knowledge or legal  
17 knowledge.

18 I'm guessing you did your due diligence in  
19 this. Am I correct in that assumption?

20 MR. BRYNER: That's correct.

21 MEMBER GOLD: And I'm assuming nobody  
22 bribed anybody to say not in my neighborhood or anything  
23 else, you're looking at this from purely from a cost,  
24 logical sense based on the area we have and how we have  
25 to provide; is that correct?

1 MR. BRYNER: So, yes, we looked at it  
2 from -- various subject matter experts looked at their  
3 areas of expertise, assessed these routes from their  
4 perspective.

5 We did weigh in public comment and  
6 sentiment into the equation as one of the factors. Cost  
7 was weighed in as one of the factors.

8 But in no area did we weigh in our personal  
9 preferences for one route over another.

10 MEMBER GOLD: So I'm assuming with that  
11 that none of you or your people live along any of those  
12 routes?

13 MR. BRYNER: You know, I don't know if  
14 anybody in our team lives along any of these routes. I  
15 know I don't.

16 MEMBER GOLD: Okay. I would be curious if  
17 members of your supervisory team, if any of them did live  
18 along those routes. I would just be curious.

19 CHMN STAFFORD: Thank you.

20 MS. MARINEZ: Mr. Chairman.

21 CHMN STAFFORD: Mr. Robinson, I believe you  
22 were about to answer -- to say something before Member  
23 Gold asked his question.

24 MR. ROBINSON: Thank you, Chair.

25 I just wanted to get a clarification on

1 Member Little's question.

2 So Route 6 and D, that combination shares a  
3 double-circuit alignment from Stone Avenue all the way  
4 into Vine Substation.

5 Your question about double-circuit  
6 underground really would only apply from the Campbell  
7 intersection south into the Lester location; correct?

8 MEMBER LITTLE: I'm sorry. No. I was  
9 concerned -- I was just curious about what would be  
10 involved in physically in undergrounding the section  
11 along Lester avenue, where it would be double circuit.  
12 It's not --

13 MR. ROBINSON: Okay.

14 MEMBER LITTLE: If we were to select C -- 6  
15 and D, it would not be double circuit along Campbell  
16 Avenue itself; correct?

17 MR. ROBINSON: Yes. It would be double  
18 circuit along Campbell Avenue also.

19 So, Clark, if I could get that pointer. Is  
20 that the right one?

21 MR. BRYNER: Yeah.

22 MR. ROBINSON: So if Route D and 6 were  
23 selected, there would be common double-circuit  
24 structures, one set of poles double-circuit conductor  
25 from Stone along Grant, east along Grant all the way over

1 to Campbell Avenue and then south along Campbell Avenue  
2 to Lester and then west into Lester and dropping into  
3 Vine. That would all be double-circuit configuration.

4 MEMBER LITTLE: Okay. I'm confused. I  
5 thought 6 would go from Kino up Campbell.

6 MR. ROBINSON: No. That's Route 1.

7 MEMBER LITTLE: Oh, okay. Oh, I see.  
8 Okay. I'm -- okay. Let me modify my question, based on  
9 my misconception, there to say if a route were selected  
10 that required double circuit and it were to be  
11 undergrounded, what would that physically look like?

12 MS. HILL: And, Member Little, I believe if  
13 you could hold your question --

14 MEMBER LITTLE: Right. That's fine.

15 MS. HILL: -- for Mr. Jocham --

16 MEMBER LITTLE: That's correct. No. I  
17 understand.

18 MS. HILL: -- on Friday, I think he'll be  
19 able to give a much cleaner, more concise answer than our  
20 company witnesses.

21 MEMBER LITTLE: Yes. I understand that.  
22 Sorry about that.

23 MS. HILL: No. That's fine. I just don't  
24 want to spend a lot of time if we can't answer your  
25 question very well.

1 CHMN STAFFORD: At least this way your  
2 witness on panel 4, the underground expert, has quite the  
3 preview of what questions that have already been asked  
4 that he needs to be prepared to answer when he finally  
5 takes the stand.

6 MS. HILL: I know. We've been holding  
7 questions for him all week so far, I think.

8 So thank you. We have experts because  
9 we're not. So --

10 MEMBER HILL: Mr. Chair, I have a question.

11 CHMN STAFFORD: Yes, Member Hill.

12 MEMBER HILL: I really appreciate Member  
13 Gold's line of questioning because it illuminates how  
14 really challenging these different routes are in  
15 considering and what criteria you guys use to select  
16 them.

17 If we could go back to Slide 83 on -- yeah,  
18 that one.

19 So the preferred route, as Mr. Gold  
20 established with his line of questioning, is kind of  
21 least conflict with the city ordinances and affordable  
22 overhead.

23 MEMBER KRYDER: Nicole, could you speak  
24 into your microphone a little closer, please.

25 MEMBER HILL: I apologize, Member Kryder.

1 The line of questioning Mr. Gold had  
2 established is that it's kind of least in conflict with  
3 city ordinances, the preferred route, and affordable.

4 But what strikes me as the real challenge  
5 for us is that there's more public support based on this  
6 data for going down Campbell because it has less conflict  
7 in the neighborhoods.

8 Is that why you offered this alternative,  
9 or can you talk a little bit about that? I just -- yeah.

10 MR. BRYNER: Thank you, Member Hill.  
11 That's a very good question.

12 And so there are multiple factors that went  
13 into why we kept this on the table irrespective of the  
14 fact that it was within the Gateway Corridor. So from an  
15 engineering perspective we talked about that a little  
16 bit.

17 I know we have the weird little jog there  
18 coming off of Grant and Campbell, but other than that, as  
19 you'll see as we go into Route 1, going along Campbell is  
20 just -- it's a straight shot to Kino, and it's along  
21 major roads. You have a lot of setback to buildings.  
22 You're not in conflict with those. There are overhead  
23 utilities for much of the route. So there's a lot of  
24 reasons why.

25 But you have a lot of -- and you'll

1 probably see more of this. And I wish I could -- I wish  
2 I had a photographic memory and could remember how many  
3 comments there are for Route 1, but there are a lot of  
4 comments in opposition to that as well as in support of  
5 it.

6 So you kind of have this -- from a public  
7 perspective you've got a camp that says, hey, go to  
8 Gateway. As we met with countless neighborhoods  
9 throughout this process we've heard from many, Why don't  
10 you just use Campbell?

11 But at the same time we've heard from many,  
12 Stay away from -- you need to respect the City's  
13 ordinance and stay away from Campbell.

14 Now, you have some of these that, you know,  
15 they have their personal reasons for their preferences.  
16 Others have more of a community perspective for their  
17 preferences.

18 But from sort of the integrity of the  
19 process and following the data and letting that dictate  
20 what we selected, what we carried forward, what we  
21 eliminated, we felt like we needed to offer this as an  
22 option and share the facts around what was going on with  
23 this route and why we ultimately didn't select it as the  
24 preferred even though when you look at some of our  
25 criteria and even if you look at the table that we have



1 on the placemat, and you look at when you add the numbers  
2 up, it shows use Route 1.

3 But the data isn't -- sort of it guides our  
4 decisions.

5 MEMBER HILL: Sure.

6 MR. BRYNER: But it doesn't necessarily --  
7 it's not the end-all, be-all.

8 MEMBER HILL: Right.

9 MR. BRYNER: And so we weighed that in, but  
10 in the end for the reasons I previously stated we didn't  
11 select Campbell as the preferred, but it we also felt  
12 like it would be premature for us to eliminate it.

13 MEMBER HILL: Yeah. Okay. This is tough.  
14 Thank you.

15 MR. BRYNER: Are we okay to continue?

16 CHMN STAFFORD: Please.

17 MR. BRYNER: Let's see. I think we left  
18 off on Slide 88, I believe.

19 So this was the simulation KOP 27. We  
20 already discussed that. At this point we drop into the  
21 Vine Substation, and that's really Route D.

22 So I just wanted to talk about some of the  
23 other factors. So land -- or existing land use plans in  
24 this area, again, we have Plan Tucson, the City of  
25 Tucson's general plan. And then we have several area and

1 neighborhood plans.

2 Of all these plans, same as we talked  
3 yesterday for Route B, only the University Area Plan  
4 includes any language with respect to the location of  
5 utilities.

6 And I'll make the same argument, TEP  
7 believes that we further the purpose of that plan by if  
8 Route D were selected, we would have a net reduction of  
9 8.9 miles of overhead utilities within the University  
10 Area Plan area, and we would remove 29 poles. And we are  
11 consistent with the other specific plans.

12 CHMN STAFFORD: Look at the map here on --  
13 over on 89.

14 The University Area Plan, is that -- I'm  
15 looking at the hash marks. And so does that run from  
16 Stone Avenue all the way past Campbell Avenue or is it --  
17 what's the -- and I see the pink lines between Speedway  
18 and Vine. Is that -- that's got -- just below where the  
19 double hash mark is, that North University, is that part  
20 of the University Area Plan?

21 Is that all -- where's the -- I'm not clear  
22 where -- what's with the boundaries of the University  
23 Area Plan are.

24 MR. BRYNER: So, Chairman Stafford, you're  
25 doing a great job of reading the map and interpreting it,

1 but I'll make it just very clear for everybody. So the  
2 University Area Plan on the west side is Stone Avenue, on  
3 the north side is Grant Road, on the east side is off the  
4 screen at Country Club, and on the south side it's  
5 Broadway Boulevard.

6 And so that's also off of the screen.

7 CHMN STAFFORD: Okay. And then the hash  
8 marks where it's also the neighborhood plan in addition  
9 to the area plan?

10 MR. BRYNER: Correct. So you have  
11 overlapping the Jefferson Park Neighborhood Plan and the  
12 Blenman Vista Neighborhood Plan.

13 CHMN STAFFORD: Okay. So I'm just  
14 clarifying that the University Area Plan encompasses  
15 Jefferson Park.

16 MR. BRYNER: Yes, it does.

17 CHMN STAFFORD: Okay. I'm just making sure  
18 I got it all straight here. Thank you. A lot of  
19 information in these maps.

20 MR. BRYNER: There is. And if you have any  
21 suggestions for cartography, it's all yours.

22 CHMN STAFFORD: No. I think they're pretty  
23 well put together. I'm just -- there's so much  
24 information it's hard to just -- I want to make sure that  
25 I'm clarifying it and that I'm interpreting it and

1 reading it correctly.

2 So but otherwise it's -- it's apparently I  
3 am, so that means the maps are excellent.

4 MR. BRYNER: Thank you.

5 MEMBER GOLD: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Gold.

7 MEMBER GOLD: I'm looking at your maps and  
8 I'm looking at your chart that you have on the bottom of  
9 this.

10 CHMN STAFFORD: Oh, the placemat.

11 MEMBER GOLD: Placemat. And I notice that  
12 you're not weighting -- weighting, w-e-i-g-h-t-i-n-g --  
13 the options. You're treating every single option in your  
14 horizontal top column that all of those are of equal  
15 weight.

16 I don't know that that would be the best  
17 way to do this. I'm just giving you opinion now. I  
18 wonder -- not being an attorney and perhaps Ms. Hill can  
19 answer this better -- biological impact, everything gets  
20 a 1. Where is legal costs to challenge?

21 If the City says for Route 1 example, as  
22 you brought up, Mr. Bryner, Route 1 is on a Gateway  
23 Corridor. It's the most direct route. It's in a  
24 commercial area where you would expect telephone poles  
25 and tension poles and distribution poles. It would seem

1 that that would be the most logical place to put it, but  
2 I don't see anything that says legal cost.

3 Did you consider that?

4 Obviously you considered it. That's why  
5 you didn't choose that route.

6 What would the legal cost be?

7 MR. BRYNER: Well, I'll let Ms. Hill answer  
8 that, and then I'll answer some other parts of your  
9 question.

10 MS. HILL: Okay. Thank you, Mr. Bryner.

11 Mr. Chair, Member Gold, and as you recall  
12 from prior presentations, I think probably from other  
13 applicants as well as us in prior projects, Mr. Bryner  
14 will go through the siting study itself and the public  
15 outreach and how they went through several iterations of  
16 weighing factors differently in coming up with this and  
17 how they worked with neighborhoods to also weigh factors  
18 differently. So you might get a more fulsome answer  
19 through that as well.

20 But in terms of legal cost, there is, I  
21 think Mr. Bryner pointed it out, a plan, an ordinance  
22 compliance section on this chart that has some bit of  
23 weighting there.

24 We are most concerned about the timing if  
25 there is continued litigation. If the Committee were to

1 make the finding on the Gateway Corridor that we're  
2 requesting under 360.06(D), we're concerned that at least  
3 one intervenor, if not several, would continue litigation  
4 on that, and that in and of itself would cause what we  
5 consider to be an untenable delay in the project being  
6 built.

7                   And so while there is a cost that probably  
8 could be guesstimated at that in terms of dollars and  
9 cents that the ratepayers would bear, the real cost is in  
10 the delay of the project.

11                   And so I don't know how to quantify that.  
12 What you see instead is that that Gateway Corridor Zone,  
13 what we do is it's not the preferred route, and we ask  
14 for if you do choose it and choose to make the finding,  
15 that you also choose an alternate route.

16                   MEMBER GOLD: So if I understand you  
17 correctly, the reason you didn't choose Route 1 is  
18 because of the expected legal delay that would make this  
19 project untenable?

20                   MS. HILL: It was a significant  
21 consideration, yes.

22                   MEMBER GOLD: So in reality when you  
23 weigh -- if you were to weigh this, you actually did --  
24 when I look at communi -- com interference, is that the  
25 one --

1 CHMN STAFFORD: Plan ordinance --

2 MEMBER GOLD: Plan.

3 CHMN STAFFORD: -- compliance.

4 MEMBER GOLD: Oh, where is it? Yeah.

5 That's why you -- why you put number 6 as giving it --

6 so, in effect, you did weigh it. And you simply said

7 because of the legal ramifications this would make this

8 whole project untenable.

9 MS. HILL: Yes. I would say that the -- if  
10 you look at a total number -- and I'm not a statistician,  
11 so you're going to have to forgive me.

12 MEMBER GOLD: Well, neither am I, so that's  
13 fine.

14 MS. HILL: Yeah. Yeah.

15 So Mr. Bryner can explain the weighting or  
16 scoring themselves, but I think that the legal point and  
17 the company point that we want to underscore to the  
18 Committee is that in making that consideration, we took  
19 the pressing nature of this project into consideration in  
20 choosing a preferred route.

21 And, you know, legal delay is legal delay.  
22 I'm a lawyer. You can blame me for it. But, I mean,  
23 there's a -- you know, I mean, it's just a reality of  
24 doing business. And so unfortunately, you know, we have  
25 to consider that.

1 MEMBER GOLD: I'm questioning that you're  
2 going to face a legal delay anyway because everybody  
3 wants this undergrounded.

4 MS. HILL: So, Member Gold, people that  
5 want it undergrounded I think there are two -- there are  
6 two issues here.

7 Number one is that the Gateway Corridor  
8 Zone itself is an ordinance that requires undergrounding,  
9 and this Committee has, you know, authority, as the Chair  
10 talked about, to make some findings that would allow us  
11 to go overhead.

12 And it is our position, however, that the  
13 preferred route does not require undergrounding except if  
14 you apply the special -- especially if you apply the  
15 likelihood of receipt of a special exception in the areas  
16 where we do a perpendicular crossing of the Gateway  
17 Corridor Zone.

18 And so as a result -- and obviously  
19 Underground Arizona has a different perspective on that,  
20 and the Committee is free to ask the City about their  
21 perspective on that.

22 In the event, however, that the Committee  
23 does find that either our preferred route is not in  
24 furtherance of the purposes of the area plans that it  
25 encompasses, we -- and/or the Committee is not



1 comfortable with the City's position regarding whether  
2 the area plans require undergrounding or not, then we are  
3 also asking this Committee to make the 360.06(D) finding  
4 for the preferred route to the extent that the area plans  
5 according to the Committee's belief require  
6 undergrounding.

7 So at this stage of the game you're  
8 correct, Member Gold, we have some limited options here  
9 to get this built.

10 MEMBER GOLD: Understood.

11 A quick question because I don't remember,  
12 and this is probably my memory because I'm older.

13 Does Campbell Avenue going north and south  
14 have high voltage power lines on it now?

15 MS. HILL: Member Gold, one of the things  
16 you'll see and we actually will point it out on the tour  
17 is it has distribution on it now. It does not have  
18 transmission.

19 MEMBER GOLD: Thank you.

20 MS. HILL: Uh-huh.

21 MR. BRYNER: Okay. And to that I agree  
22 with everything that Ms. Hill just shared as far as how  
23 we were -- our thought process and some of the -- I guess  
24 the non -- nonanalytic factors that we weighed in into  
25 our decision there.

1 But one thing you're not seeing on the  
2 placemat there that is included in our siting study --  
3 and this comes from if you look at our siting study is  
4 Appendix B-2 -- sorry, Exhibit B-1 of TEP Exhibit 1,  
5 which is our application in Appendix D of that.

6 And there's a table that's very similar to  
7 the table that's on the placemat, but it includes some  
8 other columns that are not on the placemat. And one of  
9 those is a weighted criteria looking at the things that  
10 were -- were most relevant as you pointed out.

11 And you haven't seen me talk about biology  
12 because it's essentially a nonfactor on this project. So  
13 why would it weigh the same as historic resources, which  
14 are a large factor, or compliance with some of the local  
15 plans, which are large factors?

16 And so we did look at that and include  
17 that, and that was considered in our -- in our  
18 decision-making process as well.

19 MEMBER GOLD: I sort of saw that when I  
20 noticed that not only is plans in compliance for Route 1  
21 of 6 but also commercial interference because Campbell  
22 Avenue is a commercial -- mostly commercial avenue. The  
23 other areas are predominantly not.

24 MR. BRYNER: And just to correct you, it's  
25 not actually commercial interference. It's

1 communications interference. That's probably a loss in  
2 translation there.

3 MEMBER GOLD: Next time spell it out. Just  
4 kidding.

5 CHMN STAFFORD: Well, what it doesn't stand  
6 for is Commission interference.

7 MEMBER GOLD: If it is communications  
8 interference, just out of curiosity's sake, what does  
9 that mean?

10 MR. BRYNER: So communications  
11 interference, that's one of the factors that is in the  
12 statute required to be looked at and factored into the  
13 decision of the Committee.

14 So some communication lines -- and I'm not  
15 a communications expert, so I'm going to translate it to  
16 my understanding. But some communications are  
17 point-to-point, and especially microwave communications  
18 have a very specific, small path where that communication  
19 signal travels through, and anything that breaks that  
20 path can make that obsolete.

21 And so it's a real thing that we need to  
22 watch out for --

23 MEMBER GOLD: Understood.

24 MR. BRYNER: -- if we break that specific  
25 path.

1 And then, as we all know, if you drive  
2 under a highway voltage line, if you've got the radio  
3 going, a lot of times you'll get nothing but static for a  
4 minute, so there are other communication factors as well.

5 MEMBER GOLD: And you're also considering  
6 microwave towers and cell towers and things like that are  
7 probably heavy on Campbell Avenue?

8 MR. BRYNER: Correct. And primarily for  
9 those other communications types any interference is very  
10 limited to a small diameter area. And so as long as we  
11 stay out of that we're okay.

12 MEMBER GOLD: And so it appears to me that  
13 you actually are weighting these different choices, and  
14 that's the reason that Route 1 was not a preferred route.

15 MR. BRYNER: So we do -- we do weight them.  
16 Not on what you're seeing on the placemat there, but we  
17 do weight them in our siting study.

18 MEMBER GOLD: Yes. Well, now it shows up  
19 now that that's not commercial, but it's communications.  
20 That's a different story. Thank you.

21 MR. BRYNER: Yes.

22 BY MS. HILL:

23 Q. Mr. Bryner, are you ready to continue with Route  
24 D or pass it to Mr. Robinson?

25 A. (Mr. Bryner) I've still got a couple things.

1           So moving on to Slide 90. This talks about the  
2 Gateway Corridors, which we've talked about extensively  
3 already, but we do have the perpendicular crossing of  
4 Route D at Oracle Road, and we do parallel the Gateway  
5 Corridor on Campbell Avenue for a half of a mile.

6           And then with respect to other overlay zones the  
7 same overlay zones actually apply here as applied for for  
8 Route B that we already went over. And the same answer  
9 that we wouldn't be inconsistent with any of these  
10 overlay zones.

11           And then historic districts, we do have one  
12 additional historic district that comes into play on  
13 Route D, and that's the Catalina Vista historic district.  
14 It's on the east side of Campbell Avenue, but we would  
15 be, again, on the major road.

16           CHMN STAFFORD: And this is on Slide 92?

17           MR. BRYNER: Sorry. Slide 92, yes.

18           And Route D would not -- would not result  
19 in any -- any change in that designation from a historic  
20 district.

21           And the last thing, as far as our cultural  
22 resource study was concerned here, we did find three  
23 sites that were within the vicinity of Route D, two of  
24 those were eligible, one was not. One of those eligible  
25 sites was recommended that we have a monitor present if

1 we had any ground disturbing activities within -- within  
2 that vicinity.

3 CHMN STAFFORD: And that's what SHPO  
4 recommended?

5 MR. BRYNER: So that wasn't -- so we have  
6 not done any formal consultation with SHPO up to this  
7 point. I believe that's one of the conditions that we're  
8 including in the CEC that is a result of some of our  
9 informal consultation, if you will, some more discussions  
10 that we've had with SHPO up to this point, and so we  
11 would do that and get their concurrence.

12 CHMN STAFFORD: Cool. Thank you.

13 MR. BRYNER: And then as far as low-income  
14 areas, so this one -- actually, this Route D, looking at  
15 slide 93, it does avoid some of the low-income areas by  
16 crossing over to Campbell Avenue, which is, as we've  
17 discussed, some of the neighborhoods east of Campbell  
18 Avenue are not within the low income -- are not -- are  
19 not designated low income per the criteria that we used.  
20 So Catalina Vista, Blenman Elm, Sam Hughes, those  
21 neighborhoods are not within low-income areas. And so it  
22 does reduce some of the areas where we cross -- cross  
23 into low-income residential areas.

24 And I believe with that I'll pass it over  
25 to Mr. Robinson.

1 MR. ROBINSON: Can I -- is that one --  
2 okay. Yeah.

3 So we've discussed most of the items that  
4 I'd like to point out. But just in review, in common  
5 pathways with -- with Route 1, D shares a common route  
6 from Vine Substation out to Campbell Avenue. It also  
7 shares a common route with Route 6 from Stone Avenue to  
8 Campbell down to Vine in Lester and then into Vine  
9 Substation.

10 The only other thing that we haven't talked  
11 about already during the description of this route is  
12 that along Grant Road from Santa Rita to Campbell where  
13 the residential properties come up closer to Grant Road  
14 the way it is currently configured we would likely need  
15 to get private easements for some overhang and wind  
16 blowout depending on which routes were selected and how  
17 we could avoid them in that segment of line.

18 MEMBER LITTLE: Mr. Chairman.

19 CHMN STAFFORD: Yes, Member Little.

20 MEMBER LITTLE: I'm just curious. How do  
21 you find the public reacting to overhead easements?

22 It kind of doesn't impact their property.

23 MR. ROBINSON: So we find that most of the  
24 public individuals are good to work with. There are some  
25 who have high opposition to the line or the project that

1 are a little bit more difficult.

2 And from a -- from a closure perspective  
3 we -- Ms. Hill, do you want to answer about what we think  
4 would happen for property acquisition and easement?

5 MS. HILL: We haven't -- I think,  
6 Mr. Robinson, you have the latest and greatest on that.

7 But, you know, I would say that generally  
8 when we're dealing with any sort of easement, it varies  
9 based upon the homeowner that we're dealing with or the  
10 property owner that we're dealing with.

11 There isn't -- and we agree that, you know,  
12 typically if it doesn't actually affect putting something  
13 on their property, you have a little bit more, you know,  
14 agreement. But it really depends on the individual  
15 property owner.

16 MEMBER LITTLE: Thank you.

17 MEMBER HILL: Mr. Chair.

18 CHMN STAFFORD: Yes, Member Hill.

19 MEMBER HILL: The first line says this is  
20 the third shortest route and the third most economical  
21 route.

22 MR. ROBINSON: Yeah.

23 MEMBER HILL: But I'm looking at the chart.  
24 I think it's the second most economical route. Is --

25 MR. ROBINSON: That's correct.



1 MEMBER HILL: Okay. I didn't know if I was  
2 missing something there.

3 MR. ROBINSON: So those stats were lined up  
4 before all of the undergrounding costs were associated  
5 and added to the costs.

6 MEMBER HILL: Okay.

7 MR. ROBINSON: These notes are a little bit  
8 old. Yeah.

9 MEMBER HILL: But these costs are not  
10 undergrounded; right? The cost for this --

11 MR. ROBINSON: The cost of undergrounding  
12 the distribution along --

13 MEMBER HILL: Oh, okay.

14 MR. ROBINSON: -- were not included in the  
15 costs when those notes were made.

16 MEMBER HILL: The distribution, not the --

17 MR. ROBINSON: Yeah.

18 MEMBER HILL: Not the transmission line.  
19 Okay.

20 MR. ROBINSON: So the most accurate table  
21 to refer to is the costing table that is part of your  
22 placemat and part of the exhibits.

23 MEMBER HILL: Exhibits. Okay. Great.

24 MS. HILL: All right. Thank you.

25 And Mr. Chair, Mr. Bryner, do you have

1 anything additional with Route D?

2 MR. BRYNER: No. I was just consulting  
3 with our right-of-way experts on -- on the acquisition of  
4 easements, so I can elaborate if you'd like any more  
5 information, or if Mr. Robinson's answer was sufficient,  
6 then we'll leave it at that.

7 MEMBER LITTLE: My curiosity was the  
8 difference if people really understand what overhead  
9 rights are versus -- I mean, versus having a pole in  
10 their yard?

11 MR. BRYNER: Sure. And from our  
12 perspective, I mean, for us it's the same right to have  
13 the pole or just a wire crossing your yard. And for  
14 either place then we'll negotiate the easement with them,  
15 and we'll start the negotiation at fair market value.

16 MS. HILL: All right. Thank you,  
17 Mr. Bryner.

18 Did you have anything additional, then, on  
19 Route D?

20 MR. BRYNER: No.

21 MS. HILL: And, Mr. Robinson?

22 MR. ROBINSON: No. I don't. Thank you.

23 MS. HILL: Mr. Chair, we're about to look  
24 at alternative Route 1. I don't know when you planned on  
25 taking a break. If you were planning on if you wanted to

1 break now for the court reporter or if you want us to go  
2 ahead and proceed.

3 CHMN STAFFORD: Well, I think this seems  
4 like a logical stopping place. We're almost at 90  
5 minutes. We're at about 80 minutes. So I think we can  
6 go ahead and take a break a little early and come back in  
7 about 15, 20 minutes.

8 MS. HILL: Thank you.

9 CHMN STAFFORD: All right. We stand in  
10 recess.

11 (Recess from 10:20 a.m. to 11:16 a.m.)

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

14 Ms. Hill, I believe you were going to begin  
15 discussing Route 1.

16 MS. HILL: Yes. Thank you, Mr. Chair. We  
17 are.

18 BY MS. HILL:

19 Q. Mr. Bryner, are you ready to proceed with  
20 Route 1?

21 A. (Mr. Bryner) I'm ready.

22 Q. Okay. Please proceed, then.

23 A. (Mr. Bryner) Okay. So moving on to Slide 96  
24 and 98 which cover Route 1 in TEP Exhibit 8.

25 So this is the second half of what I'll call the

1 Campbell Route. And before I get into the description,  
2 let's just cover some of the basics of it.

3 So it's approximately \$11.8 million to build  
4 this route. As you'll see it's the shortest, by far the  
5 shortest route between Vine and Kino at just 2.9 miles in  
6 length. It does cross through just under a mile of  
7 residential all of which is considered to be lower  
8 income.

9 About .6 miles of historic districts. And as  
10 you'll see in some of the simulations and you'll see when  
11 we go out on the tour, it does have existing overhead  
12 utilities for the majority of the route. And as a result  
13 we would place three circuit miles of existing overhead  
14 distribution lines underground and just under nine miles  
15 of communication wires would be moved underground or  
16 relocated.

17 I alluded to the comments that we received on  
18 Route 1 when we were discussing Route D, but if you look  
19 on Slide 96 you can see the breakdown of those comments,  
20 and it was actually just three comments in opposition.

21 I do want to caveat that with these are comments  
22 specific to these routes after we'd identified the  
23 routes.

24 If you look through the 500 or so comments that  
25 we received, there were quite a few who didn't really

1 care for going down Campbell or if you look in those that  
2 have been placed in the docket since we filed the  
3 application, also quite a few who don't seem to favor  
4 going down Campbell either. And those comments, again,  
5 were primarily against the use of Campbell.

6 But we received 44 comments that were supportive  
7 of using alternative Route 1. So because it had less  
8 impact on neighborhoods, uses the arterial road, it's the  
9 most direct which leads to being the shortest and also  
10 the least costly. So for those reasons amongst others it  
11 was supported.

12 Turning your attention now to Slide 98 on the  
13 left-hand screen, I'll describe this route which is  
14 unique from the others that we've looked at.

15 So it does share -- shares the same path as  
16 Route D from Vine over to Campbell, so that same Lester  
17 Street to Ring Road corridor.

18 Then going down Campbell Avenue, we've already  
19 talked about the Banner UMC campus located on the west  
20 side. Located on the east side of the street is the  
21 Blenman-Elm neighborhood, so that's -- well, the  
22 neighborhood itself is residential.

23 Directly along Campbell you do have a mix of --  
24 there's a school there, there's a church there and then  
25 you have some commercial uses with a little bit of

1 residents fronting Campbell Road.

2 As you move across -- let me not forget about  
3 the visual simulations I have here.

4 So before we jump across Speedway, we do have a  
5 visual simulation, this is Slide 99, key observation  
6 point 20, located on Campbell just north of Speedway on  
7 Helen Street.

8 And in this, looking at the current condition,  
9 these are buildings associated with either the hospital  
10 or the university, and some of the medical buildings  
11 associated with the university.

12 And then on the east side or the right side of  
13 the photo you see some of those residents. You do see --  
14 we do have existing overhead distribution in this  
15 location. And we would plan to remove all of that  
16 existing overhead distribution, place that underground,  
17 and then place our 138kV line along -- we depict it on  
18 the west side of the road in this location.

19 So as we move further south now, going back to  
20 slide 98 and the route map, so once you cross Speedway  
21 you've really gotten now to where the University of  
22 Arizona is located fully on the west side of Campbell,  
23 and then now you have the Sam Hughes neighborhood located  
24 on the east side.

25 There are some commercial uses near the

1 intersection with Campbell and Speedway, but south of  
2 that, it's primarily residential on the east side and  
3 then your institutional uses associated with the  
4 university on the west side.

5 In the key observation point 14 which is  
6 Slide 100, this is on University Boulevard looking east  
7 towards Campbell Avenue. This is along -- it's the mall,  
8 one of the main entryways into the university. And there  
9 are existing distribution lines going along Campbell in  
10 this stretch that would be removed and placed underground  
11 and replaced with our 138kV infrastructure.

12 This photo simulation key observation point 13  
13 is just a little bit south of where we were at. This is  
14 on Campbell at 6th Street looking north. If you look,  
15 you can see some of the athletic facilities associated  
16 with the university and some of their associated  
17 lighting, stadium lighting for that.

18 And the University of Arizona, the football  
19 stadium is located just out of the frame to the west, and  
20 the basketball stadium, that might actually be the  
21 building for the basketball, the McKale Center. Right  
22 there.

23 So in this area, we don't have any existing  
24 overhead utilities on the east side. On the west side,  
25 there are a couple of poles that I believe, I don't know

1 the exact configuration, but I believe that they're not  
2 paralleling the street, rather running perpendicular and  
3 heading into the development.

4 A. (Mr. Robinson) Yeah, that's correct. So,  
5 Clark, you can see at the top of the pole that's just  
6 above the palm tree, there's a buck, and that  
7 distribution pole crosses -- that distribution circuit  
8 crosses Campbell Avenue and continues to the east.

9 A. (Mr. Bryner) So from this point looking back on  
10 Slide 98 now, from this point we kind of leave the  
11 university and now you enter into the Rincon Heights  
12 neighborhood on the west side of the road.

13 And, again, Sam Hughes is still on the east  
14 side, so now you have residential uses fronting Campbell  
15 on either side of the road up until you get to Broadway  
16 Boulevard.

17 Key observation point 10, Slide 102 is at the  
18 intersection of Campbell Avenue and Broadway Boulevard  
19 looking look north. Again, in this location we do have  
20 existing distribution overhead. And this is another  
21 place where we failed to remove it in the simulation, but  
22 that would be removed and placed underground if this  
23 route were selected. And then we would add in our new  
24 138kV line.

25 You may or may not be able to tell from this



1 picture, but we are crossing from one side of the road to  
2 the other at this location, so we would be coming from  
3 the east side of the road and then transferring over to  
4 the west side, at least per our preliminary design.

5 Before I jump into discussing this simulation  
6 that we're looking at there, let's go back to the map.

7 So this is kind of where we were just at, the  
8 intersection of Broadway and Campbell Avenue. At that  
9 point Campbell actually changes and becomes Kino Parkway  
10 going south from here, and Campbell Avenue, well, there  
11 is still a Campbell Avenue, but it's not the main  
12 arterial road anymore. It's now the road that you're  
13 seeing in the visual simulation before you.

14 And that crosses -- well, sorry, it's not the  
15 road you're seeing. We're looking on a side road. It's  
16 a road similar to the road that we're seeing right now.  
17 And it goes through an industrial area, so this visual  
18 simulation key observation point 6 is looking to the west  
19 towards Campbell Avenue and it's a non-Gateway route.

20 So, again, going back to this, Campbell Avenue  
21 as it becomes Kino, that is the Gateway Corridor and then  
22 Campbell Avenue proper south of this location is no  
23 longer part of that Gateway Corridor Zone.

24 And so in the visual simulation again on key  
25 observation point 6, these are existing 46kV poles, and

1 our line will be located, again we're on a road that  
2 running perpendicular to where we would run, and in the  
3 simulation you can see our proposed line running right  
4 there along Campbell Avenue. And so the existing  
5 overhead utilities would remain.

6 I jumped real far ahead in that simulation. So  
7 let's jump over to the map and talk about what happened  
8 here.

9 So that last key observation point was right in  
10 this area. The line does cross over a road, Chico, which  
11 is a major drainageway for this part of Tucson. We'll  
12 see some pictures of that here in a bit.

13 Continues south again along Campbell Avenue,  
14 non-Gateway Campbell Avenue through a largely industrial  
15 area, crosses over the Aviation Highway, Arizona 210 and  
16 the railroad tracks.

17 I'm sure Mr. Robinson will talk a little bit  
18 about that. Into another industrial area on the south  
19 side of that highway and kind of winds its way along a  
20 couple of streets through here to get over to Martin  
21 Avenue which is what we're seeing in our photo  
22 simulations. So let me just talk about that real quick.

23 So key observation point 1 is on Martin Avenue  
24 looking north. So this is in the Pueblo Gardens  
25 neighborhood and just north of the Kino Substation.

1           There is a flood retention basin on the west  
2 side of the road, and on the east side of the road you  
3 have residential, single-family residential homes. There  
4 are no overhead utilities in this area. We would plan to  
5 put our 138kV line on the west side of the road furthest  
6 from the homes and adjacent to that flood control basin.

7           And literally just south of where this picture  
8 is taken is where the Kino Substation is at.

9           So jumping to Slide 105 and talking about some  
10 of the area plan -- or existing plans that are pertinent  
11 to the project, the same ones that we've talked about  
12 before primarily still apply here being the University  
13 Area Plan, that mentions -- that has language with  
14 respect to the location of utilities.

15           But we have an additional neighborhood plan that  
16 does have language with respect to the placement of  
17 utilities now here, and that's the Sam Hughes  
18 Neighborhood Plan.

19           And what it says specifically, and I'll quote  
20 this, is that they "encourage that new or improved  
21 utilities be installed underground within the  
22 neighborhood and on the surrounding arterial streets."

23           So similar to -- and the other area plans and  
24 neighborhood plans that we haven't discussed yet, they're  
25 silent on the location of utilities.

1           And so similar to what I've shared with the  
2 University Area Plan, we do believe that the project  
3 furthers both the University Area Plan and the Sam Hughes  
4 Neighborhood Plan.

5           The purpose of those plans, by resulting in a  
6 net reduction of nine and a half miles of overhead  
7 utilities within the University Area Plan area and 67  
8 poles. And you'll note the Sam Hughes Neighborhood Plan  
9 does overlap the University Area Plan. And four of those  
10 overhead miles would be within the Sam Hughes  
11 Neighborhood Plan, and 40 poles would be removed within  
12 that neighborhood plan.

13           And we believe that Route 1 would be consistent  
14 with all of the other specific plans.

15 BY MS. HILL:

16           Q.    And Mr. Bryner, I would just like to make it  
17 clear since we're on this line about the finding that we  
18 are requesting the Committee for Route 1 based on the  
19 Gateway Corridor Zone.

20           So is it the entirety of Route 1 that the  
21 Committee would be considering for a Gateway Corridor  
22 Zone for a finding under 40-360060?

23           A.    (Mr. Bryner) That's correct. Well, it's -- it  
24 doesn't cover the entire route. I'll say it covers from  
25 Ring Road to roughly Broadway Boulevard, where we would

1 be located parallel to the -- parallel with the Gateway  
2 Corridor Zone.

3 Q. And I'm sorry, you might have said this and I  
4 missed it, but approximately how many miles is that? Can  
5 you --

6 A. (Mr. Bryner) It's a little over a mile. About  
7 a mile and three quarters.

8 Q. Okay. Thank you.

9 A. (Mr. Bryner) So looking specifically at where  
10 we do cross or within the Gateway Corridor, so what I  
11 just mentioned, but we do have a perpendicular crossing  
12 as well, Broadway Boulevard. So it's within both Gateway  
13 Corridor Zones at that point.

14 CHMN STAFFORD: And Slide 106 is the one  
15 that shows the Gateway Corridors?

16 MR. BRYNER: That's correct. And here, you  
17 can see clearly that that Gateway Corridor does veer from  
18 Campbell Avenue to Kino Parkway, and even though we stay  
19 on Campbell Avenue, again, that portion of Campbell  
20 Avenue south, more or less south of Broadway down to 36th  
21 Street is not part of the Gateway Corridor Zone. And so  
22 no special exception, no -- there's no application of the  
23 zoning -- of the UDC in that area for the Gateway.

24 As far as other overlay zones, we do have  
25 the Jefferson Park Neighborhood Preservation Zone that

1 we've discussed previous. We would not be inconsistent  
2 with that. No other overlay zones apply.

3 And the Route 1 does cross through or  
4 adjacent to four historic districts, a couple of new ones  
5 include the Sam Hughes Historic District, the Blenman-Elm  
6 Historic District and Rincon Heights Historic District.  
7 Route 1 would not have any effect on those historic  
8 district designations.

9 And as far as the results of our Class 1  
10 cultural resource study that we conducted, we did find  
11 that there was one site within the vicinity of Route 1.  
12 It was found to be not eligible to be listed on National  
13 Register of Historic Places, and so no monitoring was  
14 recommended.

15 And as far as the low-income areas, Route 1  
16 actually avoids the -- it goes through the fewest numbers  
17 of low-income areas of any of our routes because it does  
18 utilize Campbell Avenue and goes east of some of those  
19 areas that are designated as low income.

20 MR. ROBINSON: Oh, so to talk a little bit  
21 more of the details around engineering. As you know  
22 along Campbell Avenue it's a major arterial road, so  
23 along most of that area, there's plenty of space to put  
24 an overhead transmission line.

25 There are a few commercial buildings along

1 that route that would require us to cross at a diagonal  
2 to the other side of the street while we're passing and  
3 go back and head north across that area.

4 In addition to this, we cross the railroad  
5 and Aviation Highway at a slight angle, so these few  
6 structures at that crossing point along Aviation and the  
7 railroad tracks would be the tallest structures that we  
8 have in our application in that area of 120 to 130 feet  
9 tall to cross those facilities.

10 And then, finally, the last thing I would  
11 share with that is the route comparison where we're  
12 sharing along Lester from Campbell into Vine; right?  
13 This route would share along -- have common with Route D  
14 and have about a quarter of a mile of double circuit  
15 pathway into Vine Substation.

16 MEMBER FRENCH: Mr. Chairman.

17 CHMN STAFFORD: Yes, Member French.

18 MEMBER FRENCH: Mr. Robinson, just some  
19 clarification on the avoiding the commercial buildings.  
20 Is that just due to safety issues and clearance distances  
21 because those buildings are higher than the surrounding  
22 buildings?

23 MR. ROBINSON: Yeah, that's correct. The  
24 NESC code, National Electrical Safety Code, requires us  
25 to maintain a certain amount of space between the

1 electrical conductor and the building itself. So in  
2 order, where the building setbacks are near the street  
3 side, in order to maintain that clearance we have to  
4 cross to the other side of the street.

5 MEMBER FRENCH: Thank you.

6 MR. BRYNER: Grace, can we queue up the  
7 virtual tour at Route D at one and a half time speed?

8 Thank you.

9 BY MS. HILL:

10 Q. Okay. And just to be clear Mr. Bryner, this is  
11 a virtual tour of Routes D and 1; correct?

12 A. (Mr. Bryner) That is correct.

13 So this is where we left off yesterday at Kino  
14 Substation, but we're going to flip back over to DeMoss  
15 Petrie.

16 So we're up at DeMoss Petrie. You see this is  
17 our 138kV yard right in the front. Going over the  
18 generation, again, the 40-foot-wide corridor that we're  
19 going to narrow down. So pay no attention to the green  
20 lines but they will indicate the general area.

21 So this gives you a better -- we're going a  
22 little slower so you can see the commercial uses along  
23 Grant Road in this area. It is a wider road, plenty of  
24 setback to the buildings.

25 It does go through various neighborhoods, but



1 we're not in the residential portions of those  
2 neighborhoods along this road.

3 Crossing over Oracle right there.

4 We're just crossing Stone.

5 MEMBER RICHINS: Chairman.

6 CHMN STAFFORD: Member Richins.

7 MR. BRYNER: Can you pause, Grace?

8 MEMBER RICHINS: Mr. Bryner, as we  
9 discussed double -- double sets of wires, is this  
10 depicting the double sets of wires should this  
11 alternative be chosen?

12 MR. BRYNER: So the virtual tour is not  
13 simulating both wires. It's just simulating the single  
14 circuit.

15 MEMBER RICHINS: Okay. And at what point  
16 does the double set of wires begin? Was that at Stone?  
17 Confirming that.

18 MR. BRYNER: So it depends on which routes  
19 you select.

20 MEMBER RICHINS: Well, this is D-1 we're  
21 looking, so let's assume this route.

22 MR. BRYNER: D-1, you would only have  
23 double wires along Lester and Ring, and that area just to  
24 the west of Campbell for about a third of a mile.

25 MR. ROBINSON: So we haven't gotten to that

1 point yet in the virtual tour.

2 MEMBER RICHINS: I thought it started along  
3 Grant.

4 MR. BRYNER: I think you were referring to  
5 a combination of --

6 MEMBER RICHINS: Different combination.

7 MR. BRYNER: C-6.

8 MR. ROBINSON: D-6.

9 MEMBER RICHINS: D-6. Okay.

10 MR. BRYNER: D-6. There's 24 different  
11 route combinations.

12 (Reporter admonishment.)

13 MEMBER RICHINS: I am just laughing, go ha,  
14 ha, ha, ha, it will be fine. I apologize.

15 MR. BRYNER: Grace, you can go ahead and  
16 play. Thanks.

17 So we're coming up on Euclid and 1st. It's  
18 Euclid on the right side, 1st on the left side. And now  
19 we're coming up -- now it's the Jefferson Park  
20 neighborhood. Right here we've looked at Park Avenue is  
21 the road that's coming up that we're crossing, that's  
22 where the preferred route takes that and heads south,  
23 whereas Route D continues along Grant.

24 You can see the homes that are located  
25 along Grant in this area, and you can see that Grant Road

1 is now more narrow than it was west of here. Again, it  
2 has not undergone the public improvement project just  
3 yet. Some of those -- there were a number of homes that  
4 were removed as part of the public improvement project  
5 out west of here.

6 BY MS. HILL:

7 Q. Mr. Bryner, could you pause for just a moment?

8 So is it anticipated with the widening of Grant  
9 that we would have to -- the building of this line would  
10 be completed in time for the Grant widening or would  
11 there be some additional extra construction that would  
12 occur because of the public improvement project timing  
13 versus our project timing?

14 A. (Mr. Bryner) I would say we would try to  
15 coordinate all of our efforts with the City of Tucson so  
16 that we could build our poles once and not have to  
17 relocate those poles when the City is ready to go.

18 Q. Thank you.

19 A. (Mr. Bryner) So this is kind of that funky  
20 intersection at Campbell where we have to cross to the  
21 east side and then back to the west side. So you have an  
22 old movie theater on the east side of Campbell, going  
23 down Campbell again, here you have the Catalina Vista  
24 neighborhood on the east side or the right -- or left  
25 side of the picture. Jefferson Park on the right side of

1 the picture.

2 You can see those frontage roads adjacent to  
3 Campbell in this area for residential traffic.

4 And there's the hospital in your view, you can  
5 see the park between Ring Road and Lester. Again, we're  
6 depicting the line going down Lester in this spot, and  
7 this is the location, Member Richins, where it would be  
8 double circuit and we modeled it, even though we're  
9 showing you the combined route, we only modeled it as one  
10 route at a time so we don't show the double circuit.  
11 What would change would be you'd have those extra set of  
12 insulators and an extra three wires.

13 So now we're just reversing back along Lester  
14 and Ring here, over to Campbell Road -- Campbell Avenue,  
15 sorry.

16 The hospital buildings on the right, you can see  
17 the church, school over on the left side of Campbell,  
18 going through the Blenman-Elm neighborhood in that area.  
19 You start seeing a lot of university buildings or  
20 buildings associated with the university coming up on the  
21 right side.

22 Coming up on Speedway here. Speedway Boulevard.  
23 We would cross that and then you can see we would have to  
24 likely jog to the east side for one span to get around  
25 some existing uses that are occurring on the west side.

1 This is the University Mall where you see on the grass,  
2 you can see the McKale Center, the stadium, some of  
3 athletic facilities.

4 Coming up on 6th Street crossing right there, we  
5 had photo simulation we looked at, and now we've got the  
6 Rincon Heights neighborhood over on the right side of the  
7 photo, still passing the Sam Hughes neighborhood on the  
8 left side.

9 Now we're coming up on Broadway Boulevard,  
10 you've got largely commercial uses on this area on both  
11 sides of the road. We jump to the east side of Campbell  
12 and now you move into an industrial area as Kino Parkway  
13 takes over what was Campbell Avenue and becomes the  
14 Gateway and Campbell Avenue you can see becomes a lesser  
15 road.

16 And in this area we do have overhead throughout  
17 this area that would be removed. There's some 46 that  
18 would be removed and retired. Distribution that would be  
19 placed underground.

20 Coming up on to the Aviation Highway and the  
21 railroad, and you can see that large bridge, that's 22nd  
22 Street crossing over Aviation, the highway. And the  
23 railroad, that's where we'd need those taller structures.

24 Over here more industrial area, railroad yard  
25 off to the left. Some mailing facilities and things off

1 to the right. Kind of do some interesting jogs to get  
2 through this area.

3 Q. Mr. Bryner, can you explain why you have to do  
4 those jogs on this route?

5 A. (Mr. Bryner) Well, we, it's basically the way  
6 that land has been developed throughout this area, it's  
7 oriented in different ways and for us to do a straight  
8 line -- we love straight lines -- but in order to do that  
9 we would have to demolish some buildings and we don't  
10 want to do that. We want to work with the existing land  
11 uses and we'd like to be located in road right-of-way  
12 wherever possible and that necessitates kind of a zigzag  
13 pattern through the roads in this area.

14 Q. Thank you.

15 A. (Mr. Bryner) The road we're coming up on now is  
16 Martin Avenue. Again, we had that simulation that we  
17 looked at. You can see the flood retention basin on the  
18 right of Martin, the Pueblo Gardens neighborhood on the  
19 left of Martin.

20 Q. And Mr. Bryner, while you're going down and  
21 showing Martin, can you explain to the Committee the  
22 conversations, any conversations that occurred with  
23 Pueblo Gardens specifically while they're looking at this  
24 about the location of the line down Martin?

25 A. (Mr. Bryner) Sure. So, and this is a great

1 view to show that on. So Pueblo Gardens, we met with  
2 their neighborhood. They were a neighborhood who  
3 accepted our invitation to go and meet with them  
4 specifically. And they had quite a bit of -- quite a few  
5 concerns on our first -- our first attempt at identifying  
6 a route.

7 One of the routes that was being considered was  
8 the use of -- this is Campbell Avenue right here, and you  
9 can see it splits off and there's a large median with a  
10 park in it through that area. Which from a siting  
11 standpoint that's very exciting, looks like a lot of  
12 space for a great place to put a transmission line.

13 Well, from a neighborhood perspective, that's a  
14 special place for them. They really didn't appreciate a  
15 line being sited down there. So when we identified the  
16 opportunity to put it on Martin on the outside edge of  
17 the neighborhood and adjacent to that flood retention  
18 basin, they were, I don't know if I'll say ecstatic, but  
19 they were supportive of the idea.

20 Q. Thank you.

21 A. (Mr. Bryner) And then crossing over 36th Street  
22 into the Kino Substation.

23 And that's the end of the virtual tour for Route  
24 D-1.

25 MS. HILL: Mr. Chair, we're about to turn

1 to alternative Route A if that's agreeable, given the  
2 timing. I don't know what scheduling you have in mind.

3 CHMN STAFFORD: Please proceed.

4 MS. HILL: Okay. Thank you.

5 BY MS. HILL:

6 Q. All right. Mr. Bryner, are you prepared to  
7 present Route A to the Committee?

8 A. (Mr. Bryner) Yes.

9 Q. All right. Please proceed.

10 A. (Mr. Bryner) So these next ones I'm not going  
11 to combine routes, so we'll talk about the remaining two  
12 routes between DeMoss Petrie and Vine and then we'll move  
13 on to a discussion of the remaining routes between Vine  
14 and Kino.

15 So there's going to be a lot of similarities  
16 between those routes to the routes that you've already  
17 seen, so I will not -- I'll try not to duplicate myself  
18 too much.

19 But Route A, the total cost of this would be  
20 about 7.6 miles -- \$7.6 million. It would be about 3.2  
21 miles in length. Half a mile of residential land use.  
22 It would cross through all of that considered low income.  
23 Also within a historic district.

24 Utilizes less overhead utility corridors, and  
25 some of the routes we've looked at previous to this.



1 About two miles. And as a result we would relocate 1.7  
2 circuit miles underground and about 6.9 miles of overhead  
3 communication.

4 As far as feedback specific to Route A from the  
5 public, we received seven comments in opposition to this  
6 route.

7 The vast majority of those were concern about  
8 going through a neighborhood and specifically you can see  
9 the neighborhood we run through is Jefferson Park. And  
10 I'm not sure what folks were thinking on using Campbell  
11 because we're not actually located on Campbell for this  
12 route.

13 CHMN STAFFORD: If you look on the map on  
14 slide 115.

15 MR. BRYNER: Yes. Yeah, if you refer to  
16 the map on Slide 115, we -- this route uses Vine Avenue.  
17 Does not go on to Campbell Avenue at all.

18 So that brings me to really what I want to  
19 talk about on this route. The only difference between  
20 Route A and Route B and Route D is where it cuts off of  
21 Grant, and Route A continues down Grant past our  
22 preferred Route B which drops south on Park Avenue.

23 We continue on Grant similar to Route D,  
24 but then instead of continuing over to Campbell Avenue,  
25 we drop south on Vine Avenue.

1 And Vine Avenue is a residential road  
2 through the Jefferson Park neighborhood. There are no  
3 overhead utilities along that road today, but it is the  
4 most direct route into the substation.

5 And I've got a simulation -- oh, forgot to  
6 talk about the comments in support of the route. Let me  
7 just touch on that real quick.

8 So there were 52 comments in support of  
9 this route. And the vast majority of those were, again,  
10 there's contradictions in the support and against,  
11 because it's all a matter of perspective, and so it was,  
12 least impact on neighborhoods was one of the large  
13 contributors to this.

14 Most direct, which I would say is true.  
15 And it does maximize the use of arterial roads, but as I  
16 just mentioned, Vine Avenue is not an arterial road; it's  
17 a residential road.

18 And as you'll see in the visual simulation  
19 on Slide 116, key observation point 32, that means that  
20 you have some smaller setbacks. The road is not nearly  
21 as wide as we've seen in some other areas.

22 And there are no existing overhead  
23 utilities -- well, there are no existing overhead  
24 utilities that are parallel with Vine Avenue. You can  
25 see some crossing perpendicularly. Most of the utilities

1 in this area, or most of the homes in this area are  
2 served off of overhead utilities within the alleyways in  
3 the back lots of these homes.

4 And this is a view that should look  
5 familiar to you. We had a -- this is key observation  
6 point 26, Slide 117. This is the same view that we  
7 looked at associated with our preferred Route B as it  
8 dropped into the Vine Substation.

9 But with Route A, rather than  
10 coming in from the south and passing the University of --  
11 the U of A medical substation right here. We would come  
12 in from the north, and you can see the wires dropping  
13 into the substation.

14 Again, the after right here isn't  
15 necessarily what it's ultimately going to look like,  
16 because once we're able to retire the existing  
17 substation, these 46kV lines here would all be removed  
18 and there is no distribution infrastructure in this case,  
19 so you would have no poles in this area.

20 All right. As far as existing plans for  
21 this area, these are the same for -- as were affected by  
22 routes A and D, so I won't go over that in any more  
23 detail.

24 Gateway Corridor Zones affected the same as  
25 Route A and D where we would have that perpendicular

1 crossing on Oracle Road, and we believe the special  
2 exception that we would be able to get a special  
3 exception for that under the City's process.

4 As far as other overlay zones, again, the  
5 exact same as for Route A, and we believe that we would  
6 not be inconsistent with any of those zones with Route A.

7 Pertaining to historic districts, again,  
8 same as Route A, we would go through -- we would cross  
9 over the Miracle Mile Historic District and through the  
10 Jefferson Park Historic District, but we would -- Route A  
11 would not result in any -- in the loss of that  
12 designation.

13 And there were, you know, from our historic  
14 district, you know, from our class 1 study that we did  
15 that was the exact same sites that were in the vicinity  
16 of Route A.

17 And as far as low-income areas, again, very  
18 similar to -- sorry, did I say Route A on the last one?  
19 Same as Route B. We are on Route A. The cultural  
20 resource sites are the same as Route B.

21 And as far as the effect on low-income  
22 areas, Route A would roughly have the same impact as  
23 Route B on the low-income areas, but it would go through  
24 slightly less distance of residential areas throughout  
25 this area, because we do stay on Grant Road rather than

1 cutting down Park Avenue and across Adams through the  
2 more residential land use areas for a longer distance.

3 MR. ROBINSON: So Clark has covered most of  
4 the details associated with this route already that we've  
5 talked about on several of the other routes. But I just  
6 wanted to point out a few things.

7 The residential street, Vine Avenue, is  
8 truly a residential street. It's fairly narrow. We'll  
9 have the 138 line on the street side, but we may need to  
10 have residential overhang aerial easements from the  
11 residents depending on the span lengths and the blown-out  
12 conditions for the conductor.

13 Also want to point out that Route A would  
14 share a common route if Route A and 6 were chosen,  
15 Route 6 intersects with Route A and is common from Stone  
16 Avenue from Grant, along past Park, all the way to Vine  
17 Street, where Route 6 continues over to Campbell down  
18 into Lester Ring Road, and then into the substation.

19 So it would be a common location from Stone  
20 and Grant over to Vine Avenue with Route 6.

21 MR. BRYNER: Grace, could we queue up  
22 Route A.

23 MEMBER HILL: Hold on, I just want to ask  
24 one -- oh, let's do this one. Let's do the tour.

25 CHMN STAFFORD: Member Hill.

1 MEMBER HILL: I'm good.

2 MR. BRYNER: Okay.

3 So familiar view at the DeMoss Petrie  
4 Substation. It will look a little bit different than  
5 this tomorrow when we go out on the tour, because we have  
6 done quite a bit of construction out there on our new GIS  
7 substation.

8 But TEP owns all the land south to Grant  
9 Road so we'll go through all of that land to get to Grant  
10 Road.

11 I'll just let you take in the view until we  
12 get to something we haven't seen yet.

13 BY MS. HILL:

14 Q. Mr. Bryner, is it crossing over Oracle Road  
15 right now?

16 A. (Mr. Bryner) Yes, that was the main road we  
17 just crossed was Oracle Road.

18 And the road we're coming up on is Stone Avenue.  
19 So, again, there's certain route segments that we'll --  
20 we'll go to Stone.

21 And this major road is 1st Avenue and Euclid  
22 Avenue. In Tucson we love to change the names of roads.

23 So there's Park Avenue that we're passing over  
24 right now, just as a frame of reference. And you can see  
25 the difference in the PI, public improvement project,

1 where it's been done, where it hasn't been. Right there  
2 is the transition.

3 As we continue to the east and then we'll make a  
4 turn down Vine Avenue. So now we're entering into the  
5 Jefferson Park on Vine Avenue, you can see much more  
6 narrow road, residential street, single-family residence  
7 on either side of the road.

8 I will just highlight, as you can see as we pass  
9 this church on the right-hand side, you'll see some of  
10 those wires drop off. Those are dropping to the east  
11 where we do have a 46kV line that comes in down that  
12 alleyway today. And goes into the U of A medical  
13 substation. Again, we're representing the wires there  
14 and the ultimate configuration that would all be removed.

15 And I think that's the end of Route A.

16 Q. Thank you, Mr. Bryner. All right. So I think  
17 we're up to alternative --

18 A. (Mr. Bryner) I think Member Hill has a  
19 question.

20 MS. HILL: I'm sorry.

21 MEMBER HILL: That's okay. No worries. So  
22 this is the least expensive route, but it's not your  
23 preferred -- least expensive and arguably most direct.  
24 But least expensive route, but not the preferred.

25 You prefer Park to Adams, which is just a

1 little bit more expensive. Can you just compare those  
2 two?

3 MR. BRYNER: Sure.

4 MEMBER HILL: I think you kind of talked  
5 about it, but it just would be helpful to hear the direct  
6 comparison.

7 MR. BRYNER: Yeah, and I'll say, you know,  
8 as I went over the comments right there, and I think it  
9 was 52 comments in support of Route A. I don't know what  
10 it was for Route B, but it was fewer than that.

11 MEMBER HILL: Yeah.

12 MR. BRYNER: I'll say that represents part  
13 of the story. So those are comments that after we  
14 identified these routes that people made specific to one  
15 route or another. But prior to introducing these  
16 alternative routes, we had several open houses, met with  
17 neighborhoods, asked for comments and we received a lot  
18 of different comments.

19 And I would say a lot of comments that we  
20 did receive probably from the Jefferson Park area were  
21 they really didn't like going down Vine Avenue. As you  
22 can see, Vine Avenue is a residential road.

23 Park Avenue is a collector road, so it's in  
24 a major street, but it is, you know, you expect to --  
25 you expect to see more overhead infrastructure,



1 infrastructure in general, or more major roads than you  
2 do on residential roads.

3 So it fits better with the character of the  
4 existing land uses on Park Avenue, better than it does on  
5 Vine.

6 So that, along with public opinion weighed  
7 in, also Park Avenue does have the existing 46kV line  
8 along it, and while Adams Street does not, in the  
9 alleyway just behind Adam Street, it does. And so we  
10 felt like we were utilizing where those homes,  
11 businesses, they were used to having this infrastructure  
12 there. It's already there today. And that's going to go  
13 away and will be replaced with a like infrastructure. So  
14 it was less of a change.

15 MEMBER HILL: Okay. Thank you. That's  
16 helpful.

17 BY MS. HILL:

18 Q. Okay. Thank you, Mr. Bryner. Are you now ready  
19 to proceed with presenting alternative route, I think  
20 it's C, to the Committee?

21 A. (Mr. Bryner) I'm ready.

22 Q. Okay.

23 CHMN STAFFORD: What's your time estimate  
24 to cover Route C?

25 MR. BRYNER: I don't know -- oh, go ahead.

1 MEMBER HILL: It depends on how many  
2 questions I ask.

3 CHMN STAFFORD: I'm trying to kind of gauge  
4 how hungry everyone is, if you want to take a lunch break  
5 before we start C or try to get through C before we take  
6 lunch. Any members have a preference?

7 MEMBER KRYDER: Let's proceed.

8 CHMN STAFFORD: Excellent. Let's go along  
9 with the Route C, please.

10 MR. BRYNER: Okay. Excellent. We'll see  
11 if we break the record that we did with A.

12 All right. So Route C, it is different, so  
13 there are some distinctions here that may cause it to go  
14 a little longer, but I'll do my part. We'll see if you  
15 do yours.

16 So alternative Route C is about  
17 \$9.7 million. It's about 4.2 miles in length. It does  
18 go through less residential areas, .7 miles. All of  
19 those, common theme, are considered low-income  
20 residential areas. They're also within historic  
21 districts.

22 This route uses far fewer existing overhead  
23 utility corridors. Only 31 percent for the route as a  
24 whole than the routes we've seen up to this point.

25 And so as a result, far fewer overhead

1 distribution lines would be relocated and moved  
2 underground. Only just under a mile of circuit miles.  
3 And 3.4 miles of communication wires.

4 So with respect to this route, we did  
5 receive 13 comments in direct opposition to this route.  
6 You can see over 50 percent of those were because it ran  
7 through neighborhoods. Also impact on historic landmarks  
8 being, as you'll see in a slide in a minute, it does  
9 go -- runs parallel with Miracle Mile, the Miracle Mile  
10 Historic District.

11 So let's turn our attention -- oh, let me  
12 not forget about the comments in support of this route.  
13 There were eight comments in support of this route. And  
14 the primary reason for their support was the use of  
15 arterial roads. Stone Avenue is an arterial road.  
16 Speedway is an arterial. So you are making use of some  
17 of those major roads. And it had a lesser impact on  
18 neighborhoods.

19 So now we'll turn our attention to  
20 slide 128, which is the map. So we begin Route C.  
21 Probably the most dyslexic person ever with left and  
22 right, so if you hear me saying things wrong, that's why.

23 So we begin at DeMoss Petrie. Same way as  
24 all of the other route options coming out of DeMoss  
25 Petrie, down Grant Road. But now Route C deviates at

1 Stone Avenue.

2 At Stone Avenue you can see it's primarily  
3 the grayish color which denotes commercial industrial  
4 land use as opposed to residential use. But you do have  
5 some mixed residential use.

6 In many cases those are apartments or  
7 different multi-family housing along Stone Avenue, and I  
8 think I've got a simulation. So this is a simulation  
9 looking north along Stone Avenue at Lester Street. So  
10 you can see an example of some of those apartment  
11 buildings on the east side or right side of the picture.

12 Again, there are no -- KOP 71 -- thank  
13 you -- is what we're looking at. So we're looking north,  
14 north along here. And I do want to point out there are  
15 no existing overhead utilities on Stone Avenue today.

16 And it does have some fair narrow setbacks  
17 as you can see is evident on the building on the  
18 left-hand side of Stone Avenue that basically comes right  
19 up to the edge of the road.

20 BY MS. HILL:

21 Q. Mr. Bryner, I'm sorry. You might have said this  
22 and I missed it, but you said there are no existing  
23 overhead utilities on Stone? What is that big black  
24 cable in the current condition?

25 A. (Mr. Bryner) This one?

1 Q. Yeah?

2 A. (Mr. Bryner) So those are -- that would be a  
3 perpendicular crossing. I believe that's communication  
4 wire.

5 A. (Mr. Robinson) Communication. That's correct.

6 Q. Thank you.

7 A. (Mr. Bryner) So this is a little bit further  
8 south on Stone Avenue, this is KOP 67, slide 1:30.

9 I do want to point out just in the existing --  
10 in the existing condition on this, there's a sign right  
11 here that says Miracle Mile.

12 So at this point we do enter into the Miracle  
13 Mile Historic District. And so what Miracle Mile is back  
14 in the early to mid 20th century, this was -- it was a  
15 very important commercial district through Tucson and the  
16 historic routes 80 and 89 ran through the area, and so  
17 this was the main thoroughfare through Tucson. So that's  
18 kind of what the Miracle Mile is protecting.

19 And, again, you'll notice there are no overhead  
20 utilities, and I don't see any large communication wires  
21 perpendicularly crossing either in this location.

22 But, again, we do have those limited setbacks.

23 We're turning to the map on 128. So we would  
24 continue south along Stone Avenue. Right in this area,  
25 this large gray area on the west side of Stone Avenue,

1 that's Pima Community College's downtown campus is  
2 located right there. And then over on the east side you  
3 have the Feldman's neighborhood and historic district.

4 After --

5 MEMBER KRYDER: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Kryder.

7 MEMBER KRYDER: One quick question, Clark.

8 I notice on the legend up there you have  
9 schools, houses of worship, hospitals, et cetera. Do you  
10 have all of them marked here? The reason for that  
11 question is I don't see several of them that I think are  
12 along Stone Avenue there between Speedway and headed  
13 north. Was there an attempt to get everything or it just  
14 got missed or whatever?

15 MR. BRYNER: Member Kryder, I'll say we  
16 attempted, the data that we have there is from, it's from  
17 the City of Tucson database is where we pulled that  
18 information and we supplemented it in some cases with  
19 data that we collected from our field visits, but it's  
20 certainly possible we missed something.

21 MEMBER KRYDER: Okay. We have an office in  
22 this general area, and I know there's a Baptist church  
23 and a Tucson tabernacle on the corner of Jacinto and  
24 Stone.

25 MR. BRYNER: Okay.

1 MEMBER KRYDER: I just didn't see them.

2 MR. BRYNER: I apologize. We did try.

3 MEMBER KRYDER: Okay. Thank you.

4 MR. BRYNER: So at -- once we hit -- once  
5 Stone intersects with Speedway the route crosses to the  
6 east to parallel Speedway Boulevard.

7 So Speedway Boulevard, again, is a major  
8 arterial street. In this case it does have a lot of  
9 commercial uses on the north, but primarily residential  
10 uses on the south. As you'll see in some of our photo  
11 simulations setbacks are minimal to some of those  
12 buildings, which is another one of the challenges that  
13 Mr. Robinson will discuss.

14 But looking at the photo simulation key  
15 observation point 65, which looks east down Speedway,  
16 this is Anza Park is located on the south side of the  
17 road or the right side of the picture and you can see --  
18 you can see this commercial building that, again, comes  
19 almost right up to the roadway. And you can see some of  
20 the single-family residences on the south side of the  
21 road with our new line depicted in this case on the south  
22 side of the road, as it passes Anza Park and then  
23 crossing over to the north side of the road just past  
24 that.

25 And, again, there's no overhead utilities

1 on Speedway, in this portion of Speedway today.

2 BY MS. HILL:

3 Q. And if you could just remind the Committee, is  
4 Speedway designated as a Gateway Corridor Zone?

5 A. (Mr. Bryner) Speedway is not designated a  
6 Gateway Corridor Zone today.

7 Q. Okay. Thank you.

8 A. (Mr. Bryner) Just a little bit further down  
9 Speedway Boulevard, now at 4th Avenue, continuing to look  
10 to the east, just another depiction of some of the uses  
11 there. You do have a church and a school on the north  
12 side of the road there today, residents on the south  
13 side. No overhead utilities.

14 CHMN STAFFORD: Quick question. Does it  
15 switch sides of the streets there going along Speedway?

16 MR. BRYNER: We do have a couple of  
17 criss-crosses. Maybe Mr. Robinson can answer that  
18 better.

19 CHMN STAFFORD: As I'm looking at KOP 65,  
20 it's looking east and it looks like lines are on the  
21 right, and you look at KOP 66, still looking east down  
22 Speedway, now they're on the left-hand side.

23 MR. ROBINSON: That's correct. Along  
24 Speedway there are several building setbacks that  
25 wouldn't allow us enough space to keep the line on the



1 same side of the road, and so there's a couple spots  
2 along this route where it would have to cross from the  
3 south side of the road to the north side of the road to  
4 miss existing buildings.

5 CHMN STAFFORD: Just making sure I was  
6 seeing that right.

7 MR. ROBINSON: Yeah, that's correct.

8 CHMN STAFFORD: Thank you.

9 MR. BRYNER: And we prefer not doing that  
10 for a number of reasons. One is, you know, you're adding  
11 more infrastructure within the line of sight of folks.  
12 But also it results in larger structures in order to make  
13 those angles than our typical tangent poles.

14 MR. ROBINSON: Correct.

15 MR. BRYNER: Now we're looking at key  
16 observation point 44 which is still on Speedway, but  
17 looking back towards the west.

18 So in this simulation you can see now you  
19 do have residents on either side of the road in this  
20 area. Setbacks are little bit wider in this area than  
21 they were further to the west. But, and you can see  
22 again here in the simulation where we cross from the  
23 north side to the south side of the street.

24 At this point, referring back to Slide 128,  
25 the route does cross over. This is Euclid running

1 north-south right here. It crosses over Euclid and then  
2 shares the same common route as our preferred route,  
3 Route 4 down Park Avenue and across Adams and into the  
4 Vine Substation.

5 CHMN STAFFORD: So if you used C-4, that  
6 would be double circuit for that part?

7 MR. BRYNER: That is correct.

8 CHMN STAFFORD: Okay.

9 MS. HILL: I'm sorry, may I interrupt? And  
10 Mr. Robinson, you haven't spoken yet, but while we have  
11 the KOP up I'd like to ask this question.

12 BY MS. HILL:

13 Q. Is there any issue or concern about having to  
14 double stack on Speedway?

15 A. (Mr. Robinson) Yeah, there's potential along  
16 this route because of the overhead conflicts and also  
17 along some of the residential routes that I earlier  
18 testified that our double circuit configuration would be  
19 side by side.

20 There are some instances along these routes  
21 where that double circuit configuration would need to be  
22 a vertical stacked on the same side of the pole. It  
23 would result in about a 20-foot taller pole along those  
24 segments.

25 CHMN STAFFORD: And what would the maximum

1 height be then?

2 MR. ROBINSON: In those areas, 95 to  
3 100 feet tall.

4 CHMN STAFFORD: Okay. And the rest was  
5 approximately 75, is that --

6 MR. ROBINSON: 75 to 80.

7 CHMN STAFFORD: Okay. All right.

8 MS. HILL: Thank you.

9 CHMN STAFFORD: Is that what you were going  
10 to ask, Ms. Hill?

11 MS. HILL: It was.

12 MEMBER LITTLE: Mr. Chairman.

13 CHMN STAFFORD: Yes, Member Little.

14 MEMBER LITTLE: I just have a thought. I  
15 have a hard time visualizing how tall that is. On our --  
16 when we're out driving around tomorrow, is there anywhere  
17 that we're going to actually be able to see poles that  
18 are of these various heights?

19 MR. BRYNER: Yes, Member Little, when we're  
20 at the DeMoss Petrie Substation, we have many poles of  
21 many different heights and I'll point out the different  
22 heights of those poles. We also have many different pole  
23 finishes there, so it will be a good place for you to see  
24 everything and try to get that perspective.

25 MEMBER LITTLE: Wonderful. Thank you.

1 MR. BRYNER: So looking at existing plans  
2 of the area, so we do bring in some, I think we cross  
3 over -- sorry. Let me look at my notes. Four specific  
4 plan areas with Route C.

5 Of these, again, only the University Area  
6 Plan makes mention of the location of poles. And we  
7 believe that Route C similar to all the other routes  
8 would further the purposes of that plan because it would  
9 result in a net reduction of 3.1 miles of overhead  
10 utilities. Even though it doesn't have a lot of overhead  
11 utilities in it today.

12 And that is largely because we would retire  
13 those existing 46kV lines regardless of which route we're  
14 using.

15 As far as Gateway Corridor Zones, again, we  
16 only impact or we only cross the Oracle Road Gateway  
17 Corridor in a perpendicular fashion for Route C, and we  
18 believe that we'd be able to get that special exception  
19 for that crossing.

20 As far as other overlay zones, Route C does  
21 go adjacent to the Court Street Cemetery Archaeological  
22 Sensitivity Zone. That's the new one that we have not --  
23 I don't believe we've crossed that yet with any of our  
24 routes.

25 But similar to the other archaeological

1 sensitivity zones, it would just have that requirement  
2 that we have a professional archeologist present for any  
3 ground-disturbing activities which we would be happy to  
4 comply with.

5 And as far as neighborhood and historic  
6 preservation zones that we cross either through or  
7 adjacent to, we would not be inconsistent with those  
8 zones.

9 MEMBER RICHINS: Mr. Chairman.

10 CHMN STAFFORD: Yes, Member Richins.

11 MEMBER RICHINS: I notice on the map that  
12 the section between -- what's the street that goes  
13 northbound to Adams from Speedway? What's that street?

14 MR. BRYNER: That's Park.

15 MEMBER RICHINS: Park. I notice that  
16 between Park and whatever the street is that's just west  
17 of Campbell, when you go north on Route 2, there's a  
18 section by the U of A on Speedway that doesn't have any  
19 alternatives on it at all.

20 If you look at your placemat and  
21 you see the A, there's a section of Speedway just above  
22 the U of A logo that doesn't have any alternative routes.  
23 What's the specific decision that drove it off that  
24 arterial and sent it north? Because, I mean you have two  
25 other routes that go north. But I'm just curious as to

1 why that section was avoided.

2 MR. BRYNER: Sure. So Speedway in that  
3 area, and you'll see on the route tour, it does have very  
4 limited setbacks along in there with taller buildings in  
5 that area. And there was just no way we could go on  
6 either side of the road in that area.

7 MEMBER RICHINS: Okay.

8 MR. BRYNER: There is a median in Speedway  
9 right there. We did talk with the City of Tucson  
10 Transportation and Mobility Department about is there any  
11 possibility of placing the poles in the median. Didn't  
12 love the idea but basically we eliminated it for those  
13 reasons.

14 MEMBER RICHINS: Okay. Thank you.

15 CHMN STAFFORD: Can you show us -- could  
16 you look on the map on Slide 136? Can you highlight with  
17 the pointer the area that Member Richins is talking  
18 about?

19 MEMBER RICHINS: The pink line over, yeah,  
20 from there, yeah.

21 MR. BRYNER: Basically in this area. So we  
22 do have our alternative Route 2 which we haven't gotten  
23 to yet, but it uses Cherry right in this area and kind of  
24 winds its way up in there, and then you have a number of  
25 other roads in here, but I think he's asking why couldn't

1 we have connected all the way down Speedway to that same  
2 route to get into the North University neighborhood as we  
3 use on Route 2 to get up in there.

4 MEMBER RICHINS: I wasn't asking -- I knew  
5 there was a reason why you avoided it, and that's what I  
6 was trying to flesh out, so okay. Thanks.

7 MR. BRYNER: Sorry. Didn't mean to put  
8 thoughts in your head.

9 MEMBER RICHINS: There's so many  
10 thoughts --

11 MR. BRYNER: As far as historic districts,  
12 so route -- Route C. Sorry. Had to get my alphabet  
13 correct there in my head. So Route C would cross through  
14 or adjacent to three historic districts as we mentioned,  
15 it would parallel through a portion of the Miracle Mile  
16 Historic District, and then cross adjacent to two others.

17 There are four sites that were identified  
18 through our class 1 cultural resource study for routes  
19 pertaining to Route C.

20 Two of those were eligible for listing on  
21 the National Register of Historic Places. Two were not  
22 eligible and it was recommended that we have a monitor  
23 present if we had ground-disturbing activities within the  
24 vicinity of those two eligible sites.

25 And as far as low-income areas, as you can

1 see on the map, basically Route C, the entire extent of  
2 it goes through areas that are classified as lower income  
3 with the exception of a short piece on Grant Road. And  
4 because this is a longer route, more circuitous than some  
5 of the others, it would have a greater income on some of  
6 the lower income areas.

7 MR. ROBINSON: So we talked about more of  
8 the aspects that are unique about this route already. I  
9 wanted to point out some of the combinations and also  
10 repeat that along the north-south section of Stone and  
11 along Speedway there are a few spots where we would have  
12 to cross the road because of existing building setbacks  
13 that don't have enough space for us.

14 So Route C has commonality with routes 2,  
15 3, 4, 5 and 6. So the first one I'll talk about is the  
16 commonality with Route 2. And that is the section  
17 north-south along Vine Avenue Route 2 and Route C have  
18 commonality with.

19 Route 3 and 4 share the same commonality  
20 together with Route C, and that is from right here,  
21 Euclid Avenue along Speedway, up Park, over to Adams and  
22 into Vine.

23 Route 5 has commonality with Route C from  
24 Stone Avenue along Speedway north on Park over to Adams  
25 and into Vine.



1 And then finally the commonality for  
2 Route 6 is on this intersection from Stone north to Grant  
3 Road and then Route 6 continues along Grant Road.

4 BY MS. HILL:

5 Q. Thank you, Mr. Robinson.

6 Mr. Bryner, are you prepared to embark on the  
7 virtual tour of this route?

8 A. (Mr. Bryner) I'm ready.

9 Q. Okay. Could you please proceed.

10 MR. BRYNER: Grace, can you go ahead and  
11 start it?

12 So, again, starting at the DeMoss Petrie  
13 Substation. I think we have a slightly different angle  
14 here so it's getting exciting.

15 You can see the casino area is just off  
16 right there. That's where the casino is being developed  
17 that I believe Member Mercer brought up.

18 So the major road that Grant Road is  
19 crossing right here is Oracle Road.

20 Now we're coming up on Stone where Route C  
21 turns to the south or to the right. So you can see Stone  
22 is still a major road, but you have areas where the  
23 buildings come in really close. There's some of the  
24 setback limitations that we discussed.

25 Primarily commercial uses along in here,

1 but you do have some of those apartment buildings.

2 CHMN STAFFORD: Looks like it crosses  
3 Speedway twice there.

4 MR. BRYNER: Stone Avenue, but yes, it does  
5 have a couple crossings, one side to the other.

6 CHMN STAFFORD: Okay.

7 MR. BRYNER: We're coming up on Speedway  
8 and you'll see the same thing on Speedway, though.

9 So right here at this road intersection is  
10 with Speedway. That's the old Court Street Cemetery is  
11 sort of the vacant lot you're seeing in the bottom right,  
12 and the Anza Park is crossing right there. And now we  
13 zig to the north side of Speedway. So, again, more  
14 commercial institutional uses on the north side, more  
15 residential uses on the south side of Speedway.

16 And we zig back to the south side due to  
17 some building clearance issues and then back to the north  
18 side, you can see some of the high density development  
19 occurring in and around the university.

20 MR. ROBINSON: Can you pause that, Clark?

21 MR. BRYNER: Can you pause it, Grace.

22 MR. ROBINSON: Maybe back up a few frames.  
23 Yeah, right here is fine.

24 Member Richins, you asked about the section  
25 along Speedway and why we had to eliminate that as a

1 potential route. And you can see the major -- the major  
2 buildings both on the north side and the south side of  
3 Speedway along that segment that makes it not have enough  
4 space for us to site -- or design and build a  
5 transmission line in that corridor.

6 CHMN STAFFORD: Can you point at that with  
7 the pointer?

8 MR. ROBINSON: Sure. So I'm talking about  
9 these buildings here on the south side, and mirrored on  
10 the north side of that road, these buildings here.

11 MEMBER RICHINS: Are we looking on Speedway  
12 here or up --

13 MR. ROBINSON: This northwest view is a  
14 view along Speedway. We -- our chosen route will turn  
15 and head to the north along Park, but we couldn't use the  
16 section east of Park along Speedway as a viable route  
17 because of these major commercial buildings on both sides  
18 of the street.

19 MEMBER RICHINS: Okay.

20 CHMN STAFFORD: Thank you.

21 MR. BRYNER: And you can also see that  
22 median that I was mentioning, Member Richins, down there.  
23 But not an ideal option.

24 Okay. You can go ahead.

25 Also, so Park Avenue, that's where our

1 same -- this is the route of our preferred as well.  
2 University Heights Elementary School, that historic  
3 landmark right there. Coming up on Adams here. A little  
4 different perspective on this coming in from the south  
5 than we've seen before.

6 But, again, you see the residential land  
7 uses in this area the university -- or the Banner  
8 Hospital off in the distance there. Coming up on the  
9 Vine Substation site.

10 And that concludes Route C.

11 MS. HILL: Thank you, Mr. Bryner.

12 So Mr. Chair, we are halfway through the  
13 presentation of routes. We have five more and we  
14 anticipate those routes will each -- that presentation  
15 depending upon questions would be, what, 15 to 20 minutes  
16 each.

17 MR. BRYNER: I think so.

18 MS. HILL: So how would you like to  
19 proceed?

20 CHMN STAFFORD: I think it's time for  
21 lunch.

22 MS. HILL: Okay.

23 MR. ANCHARSKI: And, Chair Stafford, this  
24 is Mr. Ancharski. Before we break we received a request  
25 from a member to discuss a report that may have been

1 referenced in one of the exhibits provided by one of the  
2 parties. We intend to make that an exhibit.

3 It's related to undergrounding. It's a  
4 publicly available report. But we will plan to discuss  
5 that and have that ready for the undergrounding panel.  
6 And I want to assure the Committee that that's going to  
7 be a really robust discussion on that undergrounding  
8 panel as our team has been taking notes so far.

9 CHMN STAFFORD: Excellent. It looks  
10 like -- it's probably more likely we'll get to the  
11 undergrounding panel on Friday. Because we have -- you  
12 said you have six more routes to cover, and then we have  
13 Mr. Bryner going to cover the outreach which I imagine  
14 will take some time, so -- and then Thursday will be the  
15 tour which will take up most of the day.

16 MS. HILL: That's correct, Mr. -- I'm  
17 sorry, Mr. Chair.

18 The -- we are hoping to get through the  
19 public outreach today given the presentation of routes.  
20 And I don't know what the Committee's schedule is but,  
21 you know, maybe we could go to 5:30 today if necessary to  
22 make sure that we can get through that. But if we do,  
23 then that kind of ties it up nicely for embarking on the  
24 tour tomorrow.

25 We anticipate the tour will take most of

1 the day. We are going to stop for a lunch break and  
2 we'll have many breaks in between, but we anticipate the  
3 tour will take most of the day and by the time we're  
4 finished with the tour nobody is going to want to do  
5 anything except go back and probably take an ice bath and  
6 change and nap and that sort of thing, so we weren't  
7 anticipating testimony tomorrow.

8 CHMN STAFFORD: Exactly. I agree with  
9 that. I don't think any of us would expect to come back  
10 and sit here for several hours after going on a five- to  
11 six-hour tour.

12 MS. HILL: Right. I think it just depends  
13 on how much cross-examination we have for Mr. Bryner and  
14 Mr. Robinson once we complete the presentation of routes.

15 CHMN STAFFORD: All right.

16 MEMBER LITTLE: Mr. Chairman.

17 CHMN STAFFORD: Yes, Member Little.

18 MEMBER LITTLE: I've heard some of us  
19 discuss the fact that maybe we could start a little  
20 earlier when it's not quite so warm tomorrow on the tour.

21 MS. HILL: I defer to Mr. Bryner on the  
22 logistics with the bus service on that.

23 MR. BRYNER: We can definitely contact the  
24 bus and see if we can get them earlier. What time are  
25 you thinking?

1 CHMN STAFFORD: I'm thinking maybe  
2 eight o'clock as opposed to nine.

3 MEMBER LITTLE: At least.

4 MS. HILL: So I would just caution that  
5 these are commuter routes by and large that we're doing  
6 going down. And so we might, although it is not --

7 MEMBER HILL: 6:30, then.

8 MS. HILL: Yeah, I was just going to say  
9 it's not high season by any stretch here at the  
10 university or whatever, but you are going to have some  
11 additional traffic if we start at eight. And we will  
12 encounter additional traffic as we move along and it will  
13 kind of lengthen the tour a little bit.

14 CHMN STAFFORD: Well, we don't decide that  
15 right now but it's something to consider. But I think  
16 for now we're ready for lunch. So let's take a recess  
17 until 1:30.

18 (Recess from 12:34 p.m. to 1:47 p.m.)

19 CHMN STAFFORD: Let's go back on the  
20 record.

21 Ms. Hill, I believe we're going to start  
22 another route.

23 MS. HILL: We are.

24 CHMN STAFFORD: 2.

25 MS. HILL: I was corrected at lunch. We

1 only have four routes left, not five.

2 BY MS. HILL:

3 Q. So, Mr. Bryner, are you prepared to discuss  
4 alternative Route 2 with the Committee?

5 A. (Mr. Bryner) Yes, I am.

6 Q. All right. Could you please proceed.

7 A. (Mr. Bryner) All right. So alternative  
8 Route 2, it is one of our more expensive routes. It's  
9 16.1 miles [sic] and just over five miles in length. It  
10 does go through quite a bit of residential area,  
11 primarily through the Sam Hughes neighborhood at  
12 1.6 miles. Just over a half a mile within a low-income  
13 residential area. And just under a mile through historic  
14 districts.

15 This route is about half -- utilizes about half  
16 of the area that has existing overhead lines today, and  
17 about half would be new overhead lines.

18 We would place about 3.4 circuit miles of  
19 under -- or overhead distribution lines underground if  
20 Route 2 were selected and about 8.3 miles of  
21 communication wires.

22 This route, as you well might imagine, based on  
23 some of the public comment we heard, there was quite a  
24 bit of opposition to this route. And, as you can see in  
25 the pie chart on Slide 142, 75 percent of those



1 comments -- or 12 comments in total specific to this, but  
2 75 percent of those were -- were because it ran through  
3 neighborhoods. And we received no comments in support of  
4 this route.

5 Turning to the map on Slide 144. This route is  
6 unique from some of the others that we've looked at  
7 because it heads south out of Vine down Vine Avenue. In  
8 this stretch I know we looked at a little bit of Vine  
9 north of Adams Street, but we haven't looked at it south  
10 of Adams Street yet, and it is primarily residential  
11 still on the west side of the road. On the east side of  
12 the road, it is still more commercial, industrial. There  
13 are a couple of U of A buildings over there. And then  
14 there's a little bit of mixed residential in there. The  
15 route jogs east on Mabel for a tiny stretch and then uses  
16 Cherry to get down to Speedway. And throughout that  
17 whole area right in there it goes through buildings that  
18 are a part of the university campus.

19 And the photo simulation KOP 24, Slide 145 is  
20 from Speedway Boulevard looking north along Cherry  
21 Avenue. So in the existing condition, you can see some  
22 of the university buildings in here. Looking up this  
23 roadway, you've got a parking lot right in here, but no  
24 existing overhead wires today along this stretch.

25 From there, the route enters the Speedway

1 Boulevard corridor. As we've talked about Speedway  
2 before, it's a major arterial road, not a gateway route,  
3 primarily commercial uses on either side of the road.

4 And in this stretch, you don't have the  
5 buildings coming right up on the roadway, so there is  
6 enough setback for us to place our structures, whereas  
7 just to the west of there between the University of  
8 Arizona it was a challenge.

9 And here is a -- KOP 21 is a photo simulation  
10 along Speedway Boulevard at Campbell Avenue looking to  
11 the west. So you can see that you do still have some  
12 buildings -- whoops, wrong remote -- you do still have  
13 some buildings that are -- come fairly close to the edge  
14 of the road right-of-way on the north side.

15 On the south side, though, there is more room,  
16 and so that's where we planned to place our poles was on  
17 the south side. Again, it's commercial uses over -- over  
18 on that side of the road, no existing overhead utilities  
19 today.

20 Looking back at the map. So once we hit Tucson  
21 Boulevard about a half a mile down -- down Speedway after  
22 Campbell, then we would turn south entering into the Sam  
23 Hughes neighborhood. At this point there's a large park,  
24 Himmel Park, on the east side of Tucson Boulevard.

25 And Tucson Boulevard, just to talk about it a

1 little bit more, and you'll see in the photo simulations  
2 we have it's a collector street. So I'd say it's akin to  
3 Park Avenue that we used in our preferred Route B.

4 It does go through a largely residential  
5 neighborhood in this area with primarily single-family  
6 residential -- residences on either side of the street.

7 So this is a photo simulation key observation  
8 point 19 looking north and a little bit west from within  
9 Himmel Park. We do have quite a bit -- we do have  
10 overhead infrastructure along Tucson Boulevard today.  
11 You've got overhead distribution lines as well as  
12 underbuilt communication wires hung on those lines. All  
13 of that infrastructure would be placed underground if  
14 Route 2 were selected. And you can also see in these  
15 photos some of those residents.

16 Just a little bit further down Tucson Boulevard,  
17 to give you another look within the Sam Hughes  
18 neighborhood, key observation point 18. Again, it's a  
19 fairly narrow road.

20 I'll point out that one thing you're going to  
21 see on our tour tomorrow -- and I can't remember if there  
22 were any specific comments in the public comment about  
23 this, but there have been comments in the docket about  
24 why are you going down Tucson Boulevard and you're not  
25 using Country Club.

1           So Country Club is the next road to the east of  
2 here. You can see it on the map. So it's the next main  
3 road to the east, and that one is an arterial street. So  
4 it's an area that is it's a very tight road. It's four  
5 lanes of traffic, and there is no setback at all from the  
6 travel lane to where we have actually existing poles  
7 today. And I'll show this on the tour tomorrow.

8           And we do have quite a few pole hits in there  
9 where vehicles collided with the poles. And so for  
10 safety considerations we didn't want to go there because  
11 there's no opportunity for us to move those poles further  
12 back because of the location of buildings.

13           So Tucson Boulevard differs a little bit. It's  
14 still fairly tight. But the difference is is you have  
15 one lane of travel in either direction, and you do have a  
16 bike lane, sidewalks. There's setback here. I don't  
17 know if you'd add anything to that, Mr. Robinson.

18           MR. ROBINSON: No. I would only add that  
19 the observation made about the Country Club setbacks are  
20 very accurate. The poles that are currently along  
21 Country Club sit right behind street curb, which really  
22 doesn't give you any space to have safety for the public  
23 if a road leaves the -- if a car leaves the road surface.

24           MR. BRYNER: So I know that's aside from  
25 this simulation, but I just wanted to point that out.

1 MEMBER RICHINS: Mr. Chairman.

2 CHMN STAFFORD: Yes.

3 MEMBER RICHINS: This is the route that I  
4 have the hardest time getting my head around with that  
5 jog down Tucson Boulevard. You have Route 1, I believe,  
6 that goes straight up Campbell.

7 What drove this jog over to -- to the  
8 middle of Sam Hughes neighborhood and through Tucson  
9 Boulevard? It just -- it kind of -- it doesn't make any  
10 sense.

11 What drove you guys to explore that  
12 alternative?

13 MR. BRYNER: Yeah, Member Richins, so if  
14 you look on the map on Slide 144, we don't actually  
15 depict the boundary of our study area, but if you kind of  
16 trace where we have the tan areas denoting residential  
17 areas, you can kind of get the idea of where our study  
18 area was at.

19 MEMBER RICHINS: Sure.

20 MR. BRYNER: And so our study area did go  
21 all the way over to Country Club Road.

22 And when we looked at that, looking for  
23 opportunities to go north/south throughout these areas,  
24 when Country Club was ruled out as not a possibility,  
25 we'd already -- Tucson Boulevard was also on there as one

1 of the opportunities because it's a collector street.  
2 Again, we're not looking at residential streets to locate  
3 on but more the major roads. So it was something that  
4 was on our radar already.

5 When Country Club went out, it basically  
6 took away any other opportunity to go north/south east of  
7 Campbell. And so we felt like we needed to take a hard  
8 look at an option -- an option that went east of Campbell  
9 and not focus all of our options on those west of  
10 Campbell.

11 They all have -- like I said before, these  
12 10 different route segments they all have pros and cons.  
13 Certainly a con to this is it's further. It does go  
14 through and bisect a neighborhood.

15 MEMBER RICHINS: Okay. So is there -- so,  
16 okay, I get that.

17 Where it intersects on Speedway, Routes 1  
18 and Route 2, talking about 2, right, yeah, where that  
19 intersects, is there -- is there a possibility of  
20 exploring, you know, hanging that left?

21 You know, so say you're looking at Route 1  
22 and you're taking that straight north all the way to  
23 Speedway, is there an opportunity here to hang left and  
24 follow the blue route, which is Route 2?

25 Sorry, I'm getting so confusing.

1 MR. BRYNER: So Route 1 goes down

2 Campbell --

3 MEMBER RICHINS: Right. And then straight.

4 MR. BRYNER: -- and the Speedway. And then  
5 it goes straight up.

6 Are you saying take that and then cut  
7 over --

8 MEMBER RICHINS: Yeah.

9 MR. BRYNER: -- and then wind up and in?

10 MEMBER RICHINS: Yeah. Is there anything  
11 technically preventing that kind of deviation?

12 MR. BRYNER: Technically preventing it, no.

13 MEMBER RICHINS: Okay.

14 MR. BRYNER: The only reason we didn't  
15 include that as an option was because we figured if we're  
16 going down Campbell, we're going down Campbell.

17 MEMBER RICHINS: Okay.

18 MS. HILL: May I --

19 MEMBER RICHINS: So -- yeah, sorry.

20 So it made more sense for you to have that  
21 option that went straight up, hit Vine, and over?

22 MR. BRYNER: Correct.

23 MEMBER RICHINS: Okay. All right. Thank  
24 you. I appreciate it.

25 MS. HILL: I'm sorry. Mr. Chair, Member

1 Richins, may I ask a couple of additional clarifying  
2 questions to build off the questions that Richins asked?

3 CHMN STAFFORD: Certainly.

4 BY MS. HILL:

5 Q. All right. Mr. Bryner, so I wasn't sure that  
6 Member Richins was finished. That's why I asked.

7 Mr. Bryner, I wanted to clarify. So in terms of  
8 east of Campbell and west of Campbell, is one area  
9 predominantly shown as low income versus not?

10 A. (Mr. Bryner) Yeah. As -- we've had a few  
11 slides, I guess, that have depicted that already.

12 But basically you can draw a line down Campbell  
13 Avenue. East of Campbell is not considered low income.  
14 West of Campbell is considered low income.

15 So to the point that I made I think it was  
16 yesterday, one of these previous days, in the initial  
17 siting study that TEP conducted for this and following  
18 the results of our pulling our CEC application on that,  
19 there were certainly some sentiment in the community that  
20 TEP was -- was -- or might try to put the line through a  
21 low-income area at the expense of avoiding a more  
22 affluent area. And so we wanted to ensure that we  
23 were -- we were considering all possibilities.

24 Q. Thank you. And just as a reminder, so the  
25 Gateway Corridor on Campbell is not limited to speed --



1 to between Speedway and Grant; correct?

2 A. (Mr. Bryner) That's correct.

3 Q. Okay. It actually goes south of Speedway to all  
4 the way down Kino Parkway; correct?

5 A. (Mr. Bryner) That's correct. And north of  
6 Grant as well.

7 Q. Thank you.

8 A. (Mr. Bryner) Let's see. Before we leave KOP  
9 18, just, again, to highlight the existing  
10 infrastructure, so the existing distribution lines with  
11 their associated wires, you do have quite a number of  
12 communication wires in here. And, again, all of that  
13 would go away.

14 CHMN STAFFORD: Mr. Bryner, now that does  
15 that go away only if you place the line on 2, or are you  
16 planning on that going away regardless?

17 MR. BRYNER: Thank you for clarifying,  
18 Chairman Stafford. This would be only if Route 2 were  
19 selected.

20 CHMN STAFFORD: Okay. Thank you.

21 MR. BRYNER: Before we jump to that visual  
22 simulation, as the route approaches or continues down  
23 Tucson Boulevard and approaches Broadway Boulevard, the  
24 land uses do change from residential to -- well, there's  
25 a couple of churches in here and more institutional uses,

1 and then commercial uses along Broadway.

2 And then the route does turn to the west,  
3 west/east and parallels Broadway Boulevard for a short  
4 distance. This stretch is within a Gateway Corridor.  
5 And we're seeing a photo simulation of that in key  
6 observation point 11 looking east down Broadway  
7 Boulevard.

8 And to just point out the current  
9 condition, so there is existing overhead distribution  
10 with communication underbuilt today. And these -- or  
11 these distribution poles are fairly tall distribution  
12 poles as far as that's concerned I presume because of  
13 various clearances they needed to make.

14 But you can see in the simulated condition  
15 our new poles we'll have fewer of them spaced out further  
16 than those distribution spans, and there will be fewer  
17 wires in the air.

18 MR. ROBINSON: So, Clark, if you see  
19 there's a couple of streetlights that are shown there,  
20 those streetlight heads are about 32 feet off from the  
21 road surface, and that's what's pushed the distribution  
22 and our lines up as high as they are.

23 MR. BRYNER: Thank you for clarifying that.

24 So at this point Route 2 then heads south  
25 on Plumer into a commercial and industrial area, and then

1 winds over on 14th Street, runs to the west on 14th  
2 Street where then it joins up with Campbell Avenue. And  
3 from this point south, it goes through an industrial  
4 area, and this is common with Route 1 that we previously  
5 described all the way into the Kino Substation.

6 But I think I might have another  
7 simulation. Nope. I don't. Okay.

8 So just to jump into a summary of some of  
9 the other -- the other uses and things that are going on  
10 here.

11 So this route does go into some of these  
12 specific plan areas, in particular the Sam Hughes  
13 Neighborhood Plan area. Beyond that I guess there are --  
14 there are seven specific plans that Route 2 crosses into,  
15 and of those the Sam Hughes Neighborhood Plan as well as  
16 the University Area Plan have that language that we've  
17 discussed previously with respect to the location of  
18 utilities.

19 CHMN STAFFORD: This is shown on the map on  
20 slide 150; right?

21 MR. BRYNER: Slide 150, correct.

22 And TEP does believe that Route 2 would  
23 further the purpose of those specific plans, both the  
24 University Area Plan and the Sam Hughes Neighborhood  
25 Plan, by -- within the University Area Plan resulting in

1 a net reduction of 6.6 miles of overhead utilities and  
2 removing 68 poles and within the Sam Hughes Neighborhood  
3 plan resulting in a net reduction of 3 miles of overhead  
4 utilities and the removal of 61 poles.

5 We kind of talked about this a little bit  
6 already too, but the Gateway Corridor, so this route  
7 would have a perpendicular crossing of Campbell Avenue on  
8 Speedway. Again, we believe that we would be granted a  
9 special exception from the City of Tucson for that  
10 overhead crossing.

11 And then on Broadway Boulevard, we would  
12 parallel within a Gateway Corridor. And that is an area  
13 that there are special exceptions that exist for  
14 paralleling Gateway Corridors as well. I don't know that  
15 we've talked about those very much, but we do believe  
16 that we would fall under the criteria to meet that for  
17 this stretch along Broadway Boulevard.

18 CHMN STAFFORD: For the parallel run you're  
19 talking about?

20 MR. BRYNER: Correct.

21 CHMN STAFFORD: Because what's the distance  
22 on that?

23 MR. BRYNER: About a quarter mile.

24 CHMN STAFFORD: Okay.

25 //

1 BY MS. HILL:

2 Q. And, Mr. Bryner, could you just explain the  
3 special exception provision that you believe would apply  
4 here?

5 A. (Mr. Bryner) Sure. So under the special  
6 exceptions that, again, were developed between -- by the  
7 City with coordination with TEP, there's a special  
8 exception that allows -- or there's criteria that allows  
9 if you have existing overhead utilities and you're only  
10 increasing by a certain amount, then that's okay.

11 Also if there -- I can't remember the exact  
12 language, but basically if it's within an area of similar  
13 land uses, so your industrial and commercial areas.

14 Q. Thank you. And within this Gateway Corridor,  
15 this short span of Gateway Corridor on this route, would  
16 there be any reduction in poles and overhead?

17 A. (Mr. Bryner) Yes. There would be.

18 Q. Do you know what that was?

19 A. (Mr. Bryner) Let me go back to the simulation.

20 So on key observation point 11 -- and this  
21 doesn't show the entire stretch -- well, I guess it  
22 probably does. I just can't see what's going on just to  
23 the west of us here.

24 But if we look at this, we can count -- well,  
25 let's look at the simulation condition, first of all, and

1 see where the last pole is before we go down Tucson  
2 Boulevard. So right there we have three poles. And we  
3 would have one more pole here at the corner when we go  
4 down Plumer. So you're going to have four poles.

5 If we look at the current condition, you've got  
6 probably a pole right there and another pole. This is an  
7 assumption before you get to the corner, so one, two,  
8 three, four, five, six poles. So you're going to reduce  
9 those overhead poles by two.

10 Q. Thank you. And given that there's no certainty,  
11 of course, to the special exception process in this  
12 situation, would you still be asking the Committee to  
13 make a finding for this very short span under  
14 40-360.06(D) regarding undergrounding in case the special  
15 exception was not granted?

16 A. (Mr. Bryner) Yes. We would.

17 Q. Thank you.

18 A. (Mr. Bryner) Okay. Going on to Slide 152.  
19 Just a discussion of other overlay zones. Here there are  
20 no overlay zones. I know we've got the Jefferson Park  
21 neighborhood preservation zone denoted on there, but we  
22 would be located outside of that for Route 2 just in the  
23 vicinity. So we would not cross through or adjacent to  
24 any of these overlay zones, so no problem with being  
25 consistent with those.

1           And as far as historic districts are concerned,  
2 Route 2 would cross through or adjacent to three historic  
3 districts, and similar to all of our other routes we  
4 would not affect the designation of any of those  
5 districts.

6           And your Class I cultural resource study found  
7 one site within the vicinity of Route 2, but it was  
8 determined to not be eligible for listing on the National  
9 Register, and so there was no monitoring that was  
10 recommended.

11           And as we've already discussed just a little  
12 bit, with respect to low income, Route 2 actually avoids  
13 more low income than other routes because it does go east  
14 of Campbell Avenue and through the Sam Hughes area. So  
15 that area is not considered low income.

16           And then there's a stretch between the -- well,  
17 it's not really residential low income, but it's outside  
18 of those census tracts that are designated as low income.

19           Q. Mr. Bryner, before you move to Mr. Robinson, I  
20 think Mr. Ancharski has a clarification.

21                   MS. HILL: Is slide 155 sufficient for you?

22                   MR. ANCHARSKI: I think it's 140 where the  
23 noise receptors are shown.

24 BY MR. ANCHARSKI:

25           Q. So, Mr. Bryner, we've seen a similar-type map

1 where a sensitive noise receptor such as hospitals,  
2 places of worship, and schools are identified.

3 Can you please explain a little bit further  
4 about how you identified those on the map and how those  
5 were included in your depictions?

6 A. (Mr. Bryner) Sure. So, yeah, so the -- do you  
7 see all the little symbols scattered all over the map?  
8 But one thing that you might not notice is they're only  
9 in the vicinity of our routes. So we didn't include all  
10 of these sensitive receptors within the study area. We  
11 looked at ones that were within 250 feet of one of our  
12 routes. And so I think that might be to answer Member  
13 Kryder's question about --

14 MEMBER KRYDER: They're both right on  
15 Stone.

16 CHMN STAFFORD: Use the microphone, please,  
17 Member Kryder.

18 MEMBER KRYDER: I'm sorry. Thanks for  
19 that. But both of those churches are right on Stone.  
20 Both on the corner of Jacinto and Stone.

21 MR. BRYNER: Correct.

22 And I think we tried to look at that. And  
23 that is located north of Grant Road. And so it was  
24 outside of the boundary that we were looking at.

25 MEMBER KRYDER: No. It's not. It's north



1 of Stone between Stone and Grant, I think. Perhaps I am  
2 wrong if you looked and found it. I am wrong and stand  
3 corrected. Thank you.

4 MR. BRYNER: It doesn't mean we didn't miss  
5 something, though.

6 MR. ANCHARSKI: Thank you, Mr. Bryner.

7 MR. ROBINSON: So Clark did a great job of  
8 really talking about some of -- and describing some of  
9 the challenges from an engineering perspective on this  
10 route.

11 I would point out that along Speedway in  
12 the -- as it turns and heads west along Speedway, that  
13 area of Speedway is wide enough that we would anticipate  
14 that we'll be either on the north side of Speedway or on  
15 the south side of Speedway in its entirety.

16 In addition, Route Number 2 shares  
17 common -- a common route path with Selection B and  
18 Selection C of the route paths from DMP to Vine  
19 Substation. And that area is along Vine from Vine just  
20 south to Adams where Route B would head to the west, and  
21 the rest of this line is -- would be in its own corridor.

22 And I just want to confirm Chairperson  
23 Stafford when you asked the question about whether the  
24 distribution would be undergrounded, the underground  
25 statistics that we talk about are only along the route

1 that -- that chosen route and description is for, and we  
2 would only plan to underground the distribution for those  
3 specific routes chosen.

4 CHMN STAFFORD: Thank you.

5 BY MS. HILL:

6 Q. Okay. Mr. Bryner, are we headed for the virtual  
7 tour for Route 2?

8 A. (Mr. Bryner) I think we're ready for the  
9 virtual tour.

10 Q. All right.

11 A. (Mr. Bryner) So we're starting at the Vine  
12 Substation. So looking across the northern -- or the  
13 southern edge of the Jefferson Park neighborhood and now  
14 entering into the North University neighborhood. You can  
15 see we're going down Vine Avenue. The residences are  
16 located on the west side of the road. And now we start  
17 moving into more university uses and some administrative  
18 buildings.

19 Then on to Speedway Boulevard where you can see  
20 the commercial uses. A hotel is the large building on  
21 the south side of the road or right side of the road.

22 Blenman-Elm neighborhood on the north side. Sam  
23 Hughes Neighborhood on the south side.

24 Here we're coming up on Tucson Boulevard. So  
25 we'll turn to the south here. Himmel Park is the large

1 park on the left-hand side of the screen.

2 Again, primarily residential, single-family  
3 residential uses along Tucson Boulevard.

4 There is a small commercial development at the  
5 intersection with 6th Street that we're coming up on.

6 Now the route is approaching Broadway Boulevard  
7 where it jogs to the west. This is all commercial on  
8 either side of the road on Broadway.

9 And then turns to the south on Plumer into the  
10 Arroyo Chico neighborhood. I talked a little bit about  
11 the Arroyo Chico. And if you see the line of trees kind  
12 of in the middle of the screen, that's where that  
13 drainage runs, and then it goes into various flood  
14 retention basins just to the other side of Kino Parkway,  
15 which is the major road you see there.

16 Now, this Campbell Avenue. Again, this is a  
17 stretch of Campbell Avenue that's not gateway through the  
18 industrial area, and you've seen this before on Route 1  
19 that utilized this same corridor.

20 Coming up on Aviation Highway, the 22nd Street  
21 bridge. Again, this would be where we would need larger  
22 poles so that we could make that crossing.

23 Railroad yard on the left. Other industrial  
24 buildings on the right. And then making our fun little  
25 zigzags back and forth into the Pueblo Gardens

1 neighborhood and then down Martin.

2 Q. Mr. Bryner, could you pause this for a second.

3 Are you able to reverse back or not?

4 It's not necessary.

5 Okay. Can you go back to the bridge?

6 So is that bridge going to be rebuilt at any  
7 time?

8 A. (Mr. Bryner) Yeah. The City of Tucson has  
9 plans to rebuild that bridge. I'm not sure of the exact  
10 time frame. I'm sure Mr. Lusk's witness could speak to  
11 that.

12 Q. Okay. And so would this line be built in  
13 collaboration or coordination with the City based upon  
14 whatever their plans are for any bridge rebuild?

15 A. (Mr. Bryner) We would coordinate with the City  
16 and any of their road plans in securing our right-of-way  
17 use permits and working with them so that we avoid  
18 conflicts.

19 Q. Okay. Thank you.

20 A. (Mr. Robinson) Ms. Hill, just to add to that,  
21 that would only occur to the degree that the design plans  
22 and engineering plans for the City are complete.

23 A lot of those are conceptual and not set and  
24 finalized at this time, so we can only coordinate so much  
25 with the City to anticipate what we need to do.

1 Q. Okay. So then, Mr. Robinson, does that mean  
2 that in the event that there ends up being a conflict  
3 just because of the timing of the City's plans versus the  
4 Company's plans that we might have to move some things in  
5 the future?

6 A. (Mr. Robinson) That's correct.

7 Q. Thank you.

8 A. (Mr. Bryner) You might wonder why we didn't  
9 just go straight right there through that parking area.  
10 It was just a little bit too tight with the buildings.  
11 So that's why we needed to do those jogs.

12 Back to the Kino Substation.

13 Q. Thank you, Mr. Bryner.

14 Okay. So at this time, I believe, we're ready  
15 to discuss alternative Route 3; is that correct?

16 A. (Mr. Bryner) Correct.

17 Q. All right. Please proceed.

18 A. (Mr. Bryner) All right. This is three to go.  
19 Three to go.

20 So alternative Route 3, this one is also unique  
21 from some of the other ones that we've seen. It would  
22 cost a little less than alternative Route 2, but still  
23 one of our more expensive routes at \$14.8 million. It's  
24 about 5 miles in length.

25 And this one does cross through the most amount

1 of residential areas, all of which is considered low  
2 income, so that's 2.3 miles of the route would go through  
3 residential. 1.2 miles of those are within historic  
4 districts.

5 And we would follow or -- follow existing  
6 overhead utility corridors for just under half of the  
7 route. And we would place -- if alternative Route 3 were  
8 selected, we would place 2.2 circuit miles of  
9 distribution underground, and about 5 and a half miles of  
10 communication would be moved underground or relocated.

11 We did receive I'll say a lot of comments in  
12 opposition to this route. There were 14 comments that  
13 were received primarily because it does run through a lot  
14 of neighborhoods. It also runs through the flood basins  
15 that were created for Arroyo Chico, and I'll point those  
16 out on the map here in just a minute.

17 And there were two comments that were received  
18 that were supportive of this route, and they were less  
19 impact on neighborhoods and use of arterial roads, which  
20 are interesting observations from my standpoint because  
21 I'd say this route uses the fewest arterial roads and  
22 runs through the most neighborhoods. Just my  
23 observation. But --

24 Now, going to the map on Slide 160. So  
25 beginning at the Vine Substation, Route 3 is common with

1 our preferred route Route 4 coming up and using Adams,  
2 Park, Speedway, and then Euclid.

3 Now, where it deviates is -- if you'll recall  
4 where Tucson High School was at along Euclid, right in  
5 that area at 7th Street it veers to the east.

6 Now, this is another area where we have 46kV  
7 infrastructure. It's located in an alleyway between 6th  
8 Street and 7th Street. We determined we could not go and  
9 rebuild within that area, so we looked at the adjacent  
10 roads. 6th Street is a more major street than  
11 7th Street, but the buildings -- so that 6th Street is  
12 essentially the boundary between the University of  
13 Arizona campus and the Pie Allen neighborhood to the  
14 south.

15 CHMN STAFFORD: You're looking at the map  
16 on slide 160; right?

17 MR. BRYNER: Correct. Yes. So right in  
18 this area is where I'm talking about.

19 And so the building setback on 6th Street  
20 was such that we couldn't go on 6th Street. And  
21 7th Street, though a residential road, the homes were set  
22 back further, and there was enough room for us to use.  
23 And so that's why we selected 7th Street.

24 This is a -- looking at key observation  
25 point 49, Slide 161. This is on 7th Street looking to

1 the east -- or, sorry, looking to the west.

2 And one thing I want to make sure I point  
3 here -- so one thing there are no overhead utilities on  
4 7th Street. There again they're located in the alleyway  
5 that's just -- just beyond -- just in the back lots of  
6 these homes right here.

7 But one thing that was brought up when we  
8 met with the Pie Allen neighborhood is they've got plans  
9 working with the City to try to install some -- some  
10 traffic calming measures and do some water harvesting.  
11 And so they asked, Hey, would there be an opportunity for  
12 you guys to build some chicanes. New term for me.

13 CHMN STAFFORD: Yeah. I was -- can you  
14 spell that? Because I'm not sure what it was even.

15 MR. BRYNER: I spell it c-h-I-c-a-n-e-s,  
16 but I could be wrong.

17 CHMN STAFFORD: What does it mean?

18 MR. BRYNER: I can describe it. So I'll  
19 describe what it is.

20 So we've got one simulated right here. I  
21 don't know if on your iPads if you're able to zoom in.

22 CHMN STAFFORD: Yes. You can.

23 MR. BRYNER: But if you're able to zoom in,  
24 you can see it's basically -- it's not a cutout, it's an  
25 extrusion.



1 MEMBER HILL: A bump out.

2 MR. BRYNER: A bump it?

3 MEMBER HILL: A bump out is what I call  
4 them.

5 MR. BRYNER: Thank you, Member Hill.

6 So it's a bump out into the roadway that  
7 would allow for a parking strip there. But it also  
8 allows for an area where you can collect water from the  
9 street into this area to harvest the water, also water  
10 any landscaping, and it provided an opportunity that you  
11 could put some public art or things like that.

12 But their primary purpose in it was it  
13 makes the road a little bit more narrow, and so it slows  
14 traffic down a little bit and provides a little bit of  
15 beautification.

16 CHMN STAFFORD: Okay. So you're talking  
17 about the -- where the curb comes out and it bows away  
18 from the pole there, not the -- are those decorative --  
19 what are those? Are they --

20 MR. BRYNER: Those are a simulation of some  
21 art.

22 CHMN STAFFORD: Okay. But they're not part  
23 of what the chicane? What was it?

24 MR. BRYNER: Correct. The chicane would be  
25 the bump-out.

1 CHMN STAFFORD: Okay.

2 MR. BRYNER: The bump-out would be the  
3 chicane.

4 CHMN STAFFORD: Okay. I just -- okay.  
5 They don't all have, like, fancy artwork like that,  
6 though?

7 MR. BRYNER: No. This was just a concept  
8 that we put in there that, you know, obviously this is  
9 City of Tucson road right-of-way, but it's something the  
10 neighborhood wants, and it might be an opportunity for us  
11 to partner with the City to make that happen.

12 And while we simulated it on this, in our  
13 conversations with the City of Tucson Transportation and  
14 Mobility Department, we committed that when we had a  
15 route that was approved that we would meet with them to  
16 determine if there were opportunities for doing other you  
17 can call them mitigation, you can call it beautification,  
18 different things like that to make the route a little bit  
19 more palatable for the community.

20 CHMN STAFFORD: Distract from the poles,  
21 huh?

22 MR. BRYNER: It also -- I mean, an  
23 installation like this also provides an opportunity for  
24 us as well because it allows us to move it a little bit  
25 further from the homes, provides a little more space for

1 that -- the blowout.

2 MEMBER HILL: I think it's elegant and  
3 brilliant.

4 CHMN STAFFORD: And this is the only route  
5 where you contemplated the use of chicanes?

6 MR. BRYNER: So we simulated it here just  
7 because the neighborhood brought it up. But we have  
8 discussed it with other neighborhoods, and it would be  
9 something that we'd be willing to discuss, you know, at  
10 the City's pleasure if that was something that was of  
11 interest.

12 CHMN STAFFORD: Okay. I mean, is that -- I  
13 guess it depends on how narrow the street already is.  
14 But would these be an alternative to the airspace  
15 easements in certain circumstances, I guess?

16 MR. ROBINSON: Yeah. There's an  
17 opportunity that you could move the pole a little bit  
18 further into the right-of-way and reduce the amount of  
19 aerial easement that would be required from the private  
20 property owners. That's a four- to five-foot  
21 opportunity. Chicane doesn't go too far out into the  
22 public road, but there's an opportunity to slightly move  
23 the pole into the right-of-way more.

24 CHMN STAFFORD: Okay. So I'm assuming you  
25 looked at all the routes and looked for I guess -- well,

1 I've got to assume and ask have you looked at the other  
2 routes and found opportunities for these to -- I remember  
3 in, you know, prior presentations on other -- other  
4 segments that you talked about how narrow the streets  
5 are -- or not how narrow the street but how small the  
6 setback is from the building to the -- to the road where  
7 you've had the opportunity to put the pole.

8 I guess this is the first time we -- this  
9 has come up, so I'm wondering if that would -- this is  
10 potentially -- how -- to what extent have you explored  
11 the possibility of these for the other routes, I guess?

12 MR. BRYNER: So, again, it's -- it's got to  
13 be in partnership with the City of Tucson. So they've  
14 got traffic they're trying to move on some of these  
15 roads. And so some of the busier roads doing something  
16 like this there's probably less of an opportunity. On  
17 more of your residential streets --

18 CHMN STAFFORD: Yes.

19 MR. BRYNER: -- that's where I would say is  
20 where the opportunity is at.

21 On Adams Street, where you do have a lot of  
22 street parking there, sure you're going to lose a space  
23 or two to have this bump-out, but it's also going to  
24 serve as sort of demarcating that you've got that  
25 permanent street parking elsewhere and serve to slow down

1 the traffic through those areas.

2 CHMN STAFFORD: Yeah. Because I'm looking  
3 at, like, Routes A and B where you're going through those  
4 neighborhoods, and some it was not a lot of space there.  
5 So I was wondering if that -- perhaps maybe that would be  
6 a possibility, but that's just my thought.

7 MR. BRYNER: Yeah. I think it's a good  
8 thought, and I think we would agree with you.

9 BY MS. HILL:

10 Q. Mr. Bryner?

11 A. (Mr. Bryner) Yes.

12 Q. Would you just clarify once again for the  
13 Committee, though, at what point in the process we  
14 would -- TEP would approach the City of Tucson about  
15 that.

16 And I don't want to take too much time on this,  
17 but I just want to make sure the Committee is aware of  
18 that, what the timing would be on such an effort.

19 A. (Mr. Bryner) Sure. So, as I mentioned in our  
20 due diligence and our preliminary studies, we did speak  
21 with the City about this, and it was determined once we  
22 have an approved route then we can talk specifics to see  
23 what's possible.

24 Q. Thank you, Mr. Bryner.

25 CHMN STAFFORD: Just a quick follow-up

1 question.

2 Compared to the aerial easement, which of  
3 these two options takes less time and expense?

4 Or is it are they comparable and just kind  
5 of sort of ballpark.

6 MR. BRYNER: I would have to just take a  
7 total guess. Maybe Mr. Robinson can speak to it.

8 MR. ROBINSON: So moving the tower out into  
9 the chicane wouldn't -- it's highly probable that it  
10 would not eliminate the need for aerial easement, only  
11 reduce the amount of the aerial easement that we would  
12 need for blowout.

13 So it would be a combination of both, but I  
14 do believe that the property owners are probably more  
15 willing with a smaller amount of impact than they would  
16 with a bigger impact.

17 CHMN STAFFORD: For example, in the picture  
18 here we're looking at on the right-hand side on Slide 161  
19 for KOP 49, that pole placed there at the new pole, would  
20 that also even though it's placed in the chicane would it  
21 still require an aerial easement from that property owner  
22 that it's adjacent to?

23 MR. ROBINSON: So shown in that picture, at  
24 the pole location we probably wouldn't need an aerial  
25 easement because the conductor is fixed at the pole and

1 it won't move.

2 But if you look in the picture, there's a  
3 white pickup in the background, there's a property owner  
4 there where -- who they might be affected by that aerial  
5 blowout of that conductor that we would need an easement  
6 for.

7 CHMN STAFFORD: Okay. So you'd almost have  
8 to have those chicanes where all the poles were to make  
9 it to really --

10 MR. ROBINSON: Potentially, yeah.

11 CHMN STAFFORD: -- eventually be kind of  
12 the aerial easement you would need for the sway blowout.

13 MR. ROBINSON: But we do do very detailed  
14 engineering analysis of conductor position and property  
15 line association to determine how much easement we need  
16 from each property owner.

17 CHMN STAFFORD: Thank you.

18 MR. BRYNER: The one thing I might add to  
19 that, Chairman, would be that real estate prices are  
20 fairly high in this area, so any square footage that you  
21 save there would likely pay for that chicane, but I don't  
22 know how much they cost.

23 CHMN STAFFORD: You said the neighborhood  
24 is -- they're trying to get the chicane? How long have  
25 they been trying?

1 A year? Two months?

2 MR. BRYNER: I don't know the history on  
3 that.

4 CHMN STAFFORD: Six years?

5 MR. BRYNER: I didn't ask them for the  
6 history. It was just something that they're working on.

7 CHMN STAFFORD: Okay. I didn't know if you  
8 had that information. I just thought maybe it was  
9 worth -- like, at the time if applying, you know, for a  
10 chicane is the same as getting a transmission line, I  
11 don't know if it's even a viable option.

12 MR. BRYNER: Do they have a chicane siting  
13 committee? I'm not sure.

14 MEMBER HILL: I'll volunteer.

15 CHMN STAFFORD: Maybe Mr. Lusk knows.

16 MEMBER KRYDER: That chicane planning  
17 committee would be full of chicanery.

18 MR. LUSK: Mr. Chair, I think we can talk  
19 about it a little bit with our witness.

20 But just to clarify for the Committee,  
21 these bike boulevard programs are within the Department  
22 of Transportation and Mobility's purview. And there's  
23 actually information online we can provide as an exhibit,  
24 if that would be helpful.

25 CHMN STAFFORD: That would be fine. And



1 even your witness could address it. Either way.

2 MR. LUSK: Sure.

3 CHMN STAFFORD: And you said -- so is it --  
4 you said it's the Department of Transportation. Is it  
5 the City Department of Transportation or the --

6 MR. LUSK: That's correct.

7 CHMN STAFFORD: Okay.

8 MR. LUSK: The City Department of  
9 Transportation and Mobility.

10 CHMN STAFFORD: Okay. I'm just interested  
11 to know what the time frame was for it.

12 MR. LUSK: I was going to suggest, and we  
13 can see how this works out, there's actually a bike  
14 boulevard, but the chicanes that Mr. Bryner's talking  
15 about are fairly close to the route if we want to take a  
16 look.

17 CHMN STAFFORD: Excellent. Yeah, I'd like  
18 to see that. Thank you.

19 MR. LUSK: Sure.

20 MR. BRYNER: Yeah. If Mr. Lusk can point  
21 us to that, we can -- we can detour.

22 CHMN STAFFORD: We do need to talk about  
23 the tour before we wrap today anyway and kind of go over  
24 what the -- how it's going to go and then what's -- how  
25 you're going to describe things as we pass and make sure

1 we have all our ducks in a row, so we're -- because we  
2 don't want to have any -- you know, we can't -- we're not  
3 going to ask questions off the record. We're not going  
4 to have deliberations between members.

5 So just kind of it will be a script as we  
6 roll through. And then we can -- because it's an exhibit  
7 it has what you're going to say and what you're pointing  
8 out, so I think what we'll do is end up having the  
9 members -- you know, we can take that exhibit and make  
10 notes if we took -- for questions to ask when we're  
11 stopped and on the record about what we've seen and  
12 what's been described as we pass by.

13 MR. BRYNER: That sounds like a great plan.

14 CHMN STAFFORD: Okay. Thank you.

15 BY MS. HILL:

16 Q. Okay. Mr. Bryner, can you continue with  
17 Route 3, please?

18 A. (Mr. Bryner) Yes. So moving down, so we do  
19 continue down 7th Street. And it is primarily -- I know  
20 in the photo here you're seeing residential on the north  
21 side. Once you get a little bit further to the east,  
22 it's primarily just residential on the south side with  
23 institutional uses on the north side of 7th Street.

24 And I think I have a simulation. Oh, this is  
25 actually on Park Avenue, a different stretch of Park

1 Avenue than we've seen before. But this is south of  
2 7th Street looking north. So you can see Park Avenue is  
3 substantially smaller or more narrow along this stretch  
4 than it was where we're proposing to place our route,  
5 Route B, and it -- oops. Wrong remote.

6 And so it is residential street in this area  
7 with no -- I don't know how that happened. Stop. I  
8 think we have ghosts going on in here.

9 No overhead utilities along Park but, again, we  
10 would be perpendicularly crossing this with our -- with  
11 our 138kV transmission poles.

12 Q. And to be clear, this is KOP 50, Mr. Bryner, and  
13 that is at 7th and -- where is KOP 50 on the map?

14 A. (Mr. Bryner) It's -- it's at Park Avenue -- on  
15 Park Avenue at 8th Street.

16 Q. Do you have that on Slide 160 or does that go to  
17 161?

18 A. (Mr. Bryner) It's shown on Slide 160, correct.

19 And that's the very edge of the Pie Allen  
20 neighborhood. And then we'll be going into the Rincon  
21 Heights neighborhood.

22 Q. There it is.

23 A. (Mr. Bryner) I think, Grace, could you reset us  
24 again. Our slides got out of sync. Thank you.

25 Sorry, I missed that.

1           So before we leave the map and go to the KOP  
2 that you got a preview of, so over in this area we do  
3 have 46 -- so we turn south on Highland through the  
4 Rincon Heights neighborhood. And we do have 46kV  
5 infrastructure along Highland Avenue. Again, it's still  
6 a residential street with that existing overhead  
7 infrastructure.

8           And then we cross over Broadway Boulevard and  
9 into the Miles neighborhood. Here this KOP 9 is from the  
10 Miles Exploratory Learning Center looking to the north --  
11 northwest. And if I point out in the current condition,  
12 you can see a pole there, another pole there, and I think  
13 there's a pole right there.

14           And so those are existing 46kV poles with  
15 distribution underbuild on them. Those would be removed  
16 as part of this project, and we would replace those with  
17 the 138kV poles that you see in the simulation.

18           CHMN STAFFORD: And that's the line going  
19 down Highland Avenue?

20           MR. BRYNER: Correct. That's on Highland  
21 Avenue.

22           CHMN STAFFORD: But you're looking from  
23 Miles?

24           MR. BRYNER: We're on Miles Street within  
25 the Miles neighborhood at the Miles Exploratory Learning

1 Center.

2 CHMN STAFFORD: Okay.

3 MR. ROBINSON: Can I add to your narrative,  
4 Clark?

5 This is the section that's shown in our  
6 notes along Highland that has collocated 46kV voltage  
7 alongside of the 138kV voltage; correct?

8 MR. BRYNER: That's correct. But as we --  
9 as we discussed, that would be a temporary situation  
10 until we were able to remove that.

11 MR. ROBINSON: That's right.

12 MR. BRYNER: So just a little bit further  
13 south of that what you're seeing in KOP 8, this is in the  
14 Arroyo Chico. It's called the Arroyo Chico Multiuse  
15 Project, and it's under the jurisdiction of the Pima  
16 County Flood Control District.

17 And so they've got various flood control  
18 basins in here. And they've also developed some  
19 recreation uses. You can see the multiuse path and some  
20 other parkway uses and different things in here.

21 So we do have the existing 46kV line that  
22 runs actually through the middle of this basin today, and  
23 we would plan to use that same corridor for the new  
24 facilities.

25 Do you want to explain that?

1 MR. ROBINSON: Yes.

2 And in this rendering, we've shown the  
3 relocation of the 46 line on a joint-use structure here  
4 as it's put across. And what we would actually end up  
5 doing is doing a temporary shoofly as I described at the  
6 location of Vine Substation and temporarily set these  
7 structures off to the side to give us a clear window so  
8 that this structure for the 138 supports, which would be  
9 permanent, can minimize the height that needs to be  
10 utilized for this structure.

11 MR. BRYNER: Now looking back over at the  
12 map here. At this point we would cross over Aviation  
13 Highway, Highway 210, and the railroad tracks and on to  
14 the south side into an industrial area on Warehouse  
15 Avenue is what this is on and then follow down Cherry and  
16 then Cherrybell, and then we would share the same route  
17 as Route 1 and Route 2 into the Kino Substation. And  
18 that all is within an industrial area with the exception  
19 of along Martin where we do have those residents on the  
20 east side of the road.

21 BY MS. HILL:

22 Q. And, Mr. Bryner, those residences along Martin  
23 there are in the Pueblo Gardens subdivision; correct?

24 A. (Mr. Bryner) That is correct.

25 Q. Okay.

1 A. (Mr. Bryner) So taking a look now as we  
2 transition maps to Slide 165 looking at existing plans.  
3 So for this we have seven specific plans that are  
4 pertinent to Route 3. Of those just the University Area  
5 Plan makes any mention of the location of utilities.

6 And, again, we believe that our project will  
7 further the purpose of that plan by reducing the net  
8 overall -- by having a net reduction of the overall  
9 utility infrastructure in that area of 5.7 miles and  
10 would remove 64 poles from within that plan area. And it  
11 is consistent -- Route 3 is consistent with the other  
12 specific plans of the area.

13 As far as Gateway Corridors are concerned,  
14 Route 3 does make a perpendicular crossing at Broadway  
15 Boulevard at Highland Avenue. Again, we believe that we  
16 qualify for a special exception. There is an existing  
17 crossing of a 46kV there today, and we would just be  
18 replacing that infrastructure.

19 There is also perpendicular crossing of Kino  
20 Parkway near Aviation Highway that we would be crossing.  
21 And, again, we feel like we would qualify under a couple  
22 of the criteria for special exceptions of that crossing  
23 so that we could build this route overhead.

24 Q. Thank you, Mr. Bryner.

25 Are you prepared to proceed with --

1 A. (Mr. Bryner) Oh, got a couple more. Sorry.

2 Q. You've got a couple of more.

3 A. (Mr. Bryner) Yeah.

4 Q. I keep trying to push it forward. I'm really  
5 sorry.

6 A. (Mr. Bryner) Somebody's antsy.

7 Q. It's the maps. It's all the maps.

8 A. (Mr. Bryner) They all look very similar, but I  
9 promise they have different information on them.

10 So on Slide 167, this shows the various overlay  
11 zones that are pertinent to Route 3. There's -- we do  
12 cross through or adjacent to the Feldman's neighborhood  
13 preservation zone and the West University historic  
14 preservation zone, and we wouldn't be inconsistent with  
15 those -- with those zones.

16 And Route 3 crosses through or adjacent to four  
17 historic districts, and, again, similar to all the other  
18 routes, Route 3 would not have any impact, any effect on  
19 the designation of those historic districts.

20 And our Class I cultural resource analysis found  
21 three sites within the vicinity of Route 3. Two of those  
22 were found to be not eligible to be listed on the  
23 National Register of Historic Places and the other site  
24 had yet to be evaluated. There was a recommendation that  
25 we have a monitor at one of those sites.



1 Now, this line, again, it goes through the most  
2 residential of any of our routes and the most low-income  
3 residential of any of our routes. So I would say it has  
4 a higher impact on low-income populations.

5 A. (Mr. Robinson) And so just a few things that I  
6 would want to add.

7 This route has the highest floodplain analysis  
8 that needs to be done on it because where it's running  
9 there and its proximity to the Arroyo Chico Wash out  
10 there.

11 And as Clark had mentioned before, because it  
12 goes through so much residential area, it would take the  
13 most engineering analysis and have -- be the most  
14 difficult route for us to engineer and design on also.

15 So it is a viable route. If it's chosen by the  
16 Committee, we would be able to make this route work. But  
17 this is not our preferred route to design along.

18 I've already talked about some of the  
19 commonalities for this route, but with Route B there's a  
20 commonality along Adams into Vine at the Vine Substation,  
21 and at Route C we have a commonality from Euclid at  
22 Speedway over to Park north to Adams and into Adams and  
23 Vine.

24 A. (Mr. Bryner) All right. With that, I think  
25 we're ready for our route tour now.

1 MS. HILL: I have to apologize. I just  
2 woke up apparently.

3 BY MS. HILL:

4 Q. Okay. Please proceed, Mr. Bryner.

5 A. (Mr. Bryner) So starting at the Vine Substation  
6 Route 3 would proceed south along Vine Avenue to Adams  
7 Street and then west on Adams Street as we've seen with  
8 our preferred route, Route 4 and several of the other  
9 route alternatives as well.

10 And then it would turn south on Park Avenue,  
11 again, past the University Heights elementary school onto  
12 Speedway Boulevard just for a span or I guess you could  
13 call it two spans as we cross over onto Euclid Avenue.

14 Euclid Avenue, again, this is the same stretch  
15 that we saw for our preferred route, Route 4 through the  
16 West University neighborhood that's located on the right  
17 side of the screen. Well, it's actually located on both  
18 sides, but the more residential uses are on the right  
19 side.

20 Tucson High School we're passing by. And now  
21 we're going to turn onto 7th Street. So, again, you  
22 might see in this area this is the alleyway where our  
23 46kV infrastructure goes today. So primarily residential  
24 in here, especially on the south side with more  
25 institutional uses on the north side of the road or the

1 left side of the screen.

2 You do pass the Mansfeld middle school and then  
3 onto Highland Avenue. Along Highland Avenue you do have  
4 the existing 46kV line today that will be removed as part  
5 of this project, but this is primarily single-family  
6 residential.

7 MEMBER RICHINS: Mr. Chairman.

8 MR. BRYNER: Pause?

9 MEMBER RICHINS: Could you pause for a  
10 second and go back. There's a line that trailed off --

11 CHMN STAFFORD: Could you get close to the  
12 mic, please.

13 Thank you.

14 MEMBER RICHINS: There's a line that  
15 trailed off if you go back a little bit.

16 So above the word "Highland" -- no. Go  
17 back. Keep going forward. Turn the corner.

18 MEMBER KRYDER: Into your microphone,  
19 please, Dave.

20 MEMBER RICHINS: I'm not saying anything.

21 MEMBER KRYDER: Okay.

22 MR. BRYNER: Right there?

23 MS. HILL: There.

24 MEMBER RICHINS: So you see above the word  
25 "Highland"? Yeah.

1 What's that?

2 MR. BRYNER: So that was a good catch. I  
3 was trying to gloss over this.

4 MEMBER RICHINS: I could talk quieter so  
5 the other guys don't hear me.

6 MR. BRYNER: I really wasn't trying to  
7 gloss over it.

8 But so our 46kV line that goes down  
9 Highland, it runs down Highland, and then it makes a jog  
10 on 8th Street and then comes back over to 7th Street  
11 right here. And so we chose not to follow exactly the  
12 path of the 46 so that we could straighten this -- the  
13 line out a little bit.

14 MEMBER RICHINS: So will you be  
15 circumnavigating that section of the neighborhood by  
16 power lines all the way around now to that block?

17 MR. BRYNER: This will be removed as part  
18 of this project.

19 MEMBER RICHINS: That will be removed. I  
20 misunderstood.

21 MR. BRYNER: Yeah. Yeah. All of that  
22 46kV, that will be some of the old infrastructure that  
23 will be able to be retired.

24 MEMBER RICHINS: Okay. And then it appears  
25 as if this line is doubled on your simulation as you go

1 forward. It looks like you have lines -- two sets of  
2 lines on either side.

3 MR. BRYNER: That's also a very good  
4 observation. So this is --

5 MEMBER RICHINS: Are there been any bad  
6 observations or bad questions?

7 Because you always tell us we have good  
8 questions but never a bad question.

9 MR. BRYNER: Do you want me to tell you  
10 when they're bad?

11 MEMBER RICHINS: Yeah. Actually that would  
12 be fascinating. It would be interesting to see how that  
13 works out for you in the end, but that's okay. Go for  
14 it.

15 MR. BRYNER: I'll think about it.

16 So we do depict having the 46kV collocated  
17 with the 138kV in this stretch. Again, that's a  
18 temporary situation until we're able to retire that.

19 MEMBER RICHINS: Okay. Okay. Very good.  
20 Thank you.

21 MR. BRYNER: So the main -- the main road  
22 we're coming up on right here is Broadway Boulevard.  
23 That's the boundary between the Rincon Heights  
24 neighborhood and the Miles neighborhood. This is that  
25 Miles Exploratory Learning Center and the park that we

1 were looking to cross in our simulation.

2 Coming up on the Arroyo Chico multiuse area  
3 with the flood basins. As you can see, the lines running  
4 down the bottom of those basins. That's what  
5 Mr. Robinson alluded to with respect to some of the  
6 additional engineering that would be required there.

7 Crossing over Aviation Highway and the  
8 Union Pacific Railroad tracks into an industrial area and  
9 warehousing.

10 Crossing over Kino Parkway right here and  
11 onto Cherry Avenue, again staying with commercial,  
12 industrial uses, crossing over 22nd Street onto  
13 Cherrybell. Just as an aside, this is my favorite road  
14 for siting on because it's got the most setbacks, so it  
15 really accommodates the line very well.

16 And then we do our interesting jogs over to  
17 Martin Avenue. And this is what we've seen common to  
18 Routes 1 and 2.

19 The South Park neighborhood is on the west  
20 side of the road, and then Pueblo Gardens is on the east  
21 side of the road.

22 And then into the Kino Substation.

23 BY MS. HILL:

24 Q. Thank you, Mr. Bryner.

25 All right. So I think we have two routes left,

1 Routes 5 and 6.

2 Am I correct?

3 A. (Mr. Bryner) You are correct.

4 Q. All right. I did count correctly.

5 All right. And so we are proceeding now to  
6 Route 5.

7 Just reminding everyone that Route 4 is part of  
8 the preferred route that was the very first route that we  
9 covered.

10 A. (Mr. Bryner) Okay. Oh, sorry.

11 Q. No. Go right ahead. Please describe Route 5 to  
12 the Committee.

13 A. (Mr. Bryner) All right. So Route 5 -- both  
14 Route 5 and Route 6 you're going to see are going to be  
15 parallel to Aviation Highway and the railroad, so that's  
16 where, I believe, we made the caveat at the beginning  
17 that we have some of those concerns with respect to being  
18 able to secure railroad -- or easement from the railroad.  
19 And so if one of these -- this route or Route 6 were  
20 selected, we would want to make sure that there was an  
21 alternate provided.

22 So let me move into the description of this  
23 route.

24 So as far as cost goes it would cost around  
25 \$13.6 million. It's just under 6 miles in length. It

1 goes through just a little over one mile of residential  
2 areas, all of which is low-income residential, and the  
3 majority of which is in historic districts.

4 It doesn't utilize a lot of overhead utility  
5 corridors, just two -- well, two and a half miles,  
6 42 percent of the overall route, and as a result would  
7 place 1.6 circuit miles of distribution lines underground  
8 and 5.4 miles of overhead communication.

9 And we did not receive any comments in  
10 opposition to this route. And we received three comments  
11 in support of the route because it had less impact on  
12 neighborhoods. Of course, that all depends on whose  
13 neighborhood it is.

14 CHMN STAFFORD: Some neighborhoods comment  
15 more than others, huh?

16 MR. BRYNER: That is true.

17 Sorry. I think I'm getting confused on my  
18 remotes.

19 All right. So moving on to the route  
20 description. So we'll -- again, we'll start at Vine.

21 So this follows Adams, Park, and Speedway  
22 all the way over to Stone. So that is the same route as  
23 we talked about for alternative Route C coming between  
24 the DeMoss Petrie Substation and Vine. From that point  
25 south, though, now it's new, and it's something we



1 haven't seen yet on any of our routes.

2 So it continues south on Stone Avenue.  
3 Stone, again, is still a major arterial road in this  
4 area, but we still have those fairly narrow building  
5 setbacks. I think, yes, I have a photo simulation of  
6 this.

7 The Anza Park is located on the east side  
8 of the road or the right side of the screen, and that's  
9 something that you saw in previous photo simulations from  
10 a different perspective because the streetlights that you  
11 see in here, these are at the intersection with Speedway  
12 Boulevard, so we had a photo simulation looking across  
13 that.

14 CHMN STAFFORD: Okay. So we're looking at  
15 the map on Slide 177 and now KOP 63 on 176. Okay.

16 MR. BRYNER: Thank you.

17 And the land uses in this area are -- it's  
18 a mix I'd say in here between residential uses, primarily  
19 multifamily apartments with some commercial uses  
20 throughout this stretch.

21 This is a key observation point 62 a little  
22 bit further south on Stone Avenue still looking north at  
23 5th Street. And you can see some of the buildings that  
24 do come in fairly close to the roadway.

25 I'm looking at this building on the east

1 side. And you do notice how we have our line crosses  
2 from one side of the road to the other. Another  
3 observation along Stone is we don't have any existing  
4 overhead utilities here today.

5 CHMN STAFFORD: Excuse me, I didn't catch  
6 that last thing you said.

7 MR. BRYNER: We don't have any existing  
8 overhead utilities along Stone today.

9 CHMN STAFFORD: Okay. Are they in the back  
10 alley? Is that where they're at?

11 MR. BRYNER: Primarily through this part of  
12 town they're in the alleys.

13 CHMN STAFFORD: Okay. Thank you.

14 MR. BRYNER: So from this point, Route 5  
15 parallels the Aviation Highway. This stretch of Aviation  
16 Highway was recently finished. It also parallels the  
17 Union Pacific Railroad. And this is where I talked about  
18 there's very, very limited distance between the railroad  
19 and the roadway.

20 So looking at key observation point 59,  
21 this is looking towards the northwest. So on the east  
22 side of the road you do have some -- well, this is a  
23 multiuse building primarily residential on the upper  
24 stories.

25 And then you've got some other buildings

1 that come right up against the edge of the highway on the  
2 northeast side of the roadway. And abutting the  
3 southeast side of the roadway are the Union Pacific  
4 Railroad tracks, which are -- there's a fence along here,  
5 and they're just on the other side of that fence.

6 So there's a fairly narrow strip that  
7 actually gets more narrow as you come this way, and  
8 that's where we'd be looking to locate, which doesn't  
9 place the lines a great distance away from the railroad  
10 tracks, and that's where we would need to get the  
11 railroad to grant a variance to their design guidelines.

12 MEMBER LITTLE: Mr. Chairman.

13 CHMN STAFFORD: Member Little.

14 MEMBER LITTLE: Is there any -- do you have  
15 any indication of when you might hear from the railroad?

16 MR. BRYNER: The time line that they  
17 provided was two years.

18 MEMBER LITTLE: Whoa. Starting when?

19 MR. BRYNER: As soon as we make  
20 application. So we chose not to make application,  
21 because we had so many route options and it was two years  
22 out we figured if they select this, we'll make  
23 application then and start that process.

24 MEMBER LITTLE: Thank you.

25 MEMBER HILL: Mr. Chair, I have a follow-up

1 question.

2 CHMN STAFFORD: Yes, Member Hill.

3 MEMBER HILL: Have you worked with this  
4 railroad in other corridors and been successful at  
5 getting collocation within the railroad corridors?

6 MR. BRYNER: Yes. We have worked with  
7 them. I'd like Mr. Robinson to maybe answer that.

8 MR. ROBINSON: Yeah. There's been several  
9 different 138 lines that we've worked with the Union  
10 Pacific Railroad on, and we've had good success with them  
11 in allowing us to permit and to work out some variances  
12 that have been requested in the past. They're very slow  
13 to respond and very slow to grant that variance, though.

14 MEMBER HILL: Follow-up question.

15 Have they ever said no to you?

16 MR. ROBINSON: I don't remember a scenario  
17 where they have said no. The other thing is we do have  
18 to complete our detailed engineering before we can make  
19 the application to them.

20 MEMBER HILL: Okay. I recognize that the  
21 railroad can be -- well, it's challenging to work with,  
22 but I just wanted to know if they had a history of  
23 working collaboratively with you guys on things.

24 MR. ROBINSON: Yes, they have.

25 This is a bigger ask in design variance

1 than we've had in the past.

2 MEMBER HILL: Can you characterize what  
3 makes it different or harder?

4 MR. ROBINSON: One, the structures are  
5 closer to the railroad tracks than in our other variances  
6 and the length of parallel is longer.

7 MEMBER HILL: Okay. That's helpful.  
8 Thanks.

9 MR. BRYNER: So key observation point 58,  
10 this is actually looking from more the downtown part of  
11 Tucson at Congress Street and 4th Avenue looking towards  
12 the northeast. So you can see some of that similar  
13 overhead infrastructure that you saw on University Avenue  
14 near Euclid for our preferred route that we were looking  
15 at. This is all part of the City of Tucson's modern  
16 streetcar, which also runs down Congress in this area.

17 So in our simulation you can see one of our  
18 structures poking up and visible from here.

19 MR. ROBINSON: Clark, can I -- can I amend  
20 my answer to Member Hill a little bit?

21 There has been an instance as you can see  
22 on the map -- can I see --

23 MR. BRYNER: Oh, sorry, this one.

24 MR. ROBINSON: Over here?

25 MR. BRYNER: That's the map.

1 MR. ROBINSON: On the map right here,  
2 there's a large Union Pacific switchyard in this area,  
3 right, and we had a permit to restring the distribution  
4 in this area, and the Union Pacific Railroad did say no  
5 to that request.

6 MEMBER HILL: Thank you for that response.  
7 I think the switchyard is a unique  
8 situation.

9 MR. ROBINSON: Yeah.

10 MEMBER HILL: Because they might want to  
11 expand it, change it, change the footprint. I totally  
12 understand why that one might be much more sensitive, so  
13 thank you.

14 MR. BRYNER: So from this point, our route  
15 does join up -- Route 5 joins up with the same path as  
16 our preferred route, Route 4 at Aviation crossing onto  
17 Toole and Euclid Avenue where it follows Euclid Avenue  
18 south through the largely industrial area where we would  
19 have quite a bit of overhead infrastructure that we would  
20 move underground down into the more residential area in  
21 South Park.

22 And then it would utilize the existing  
23 138kV line between Kino and Irvington to collocate the  
24 circuit on that -- on those same structures into the Kino  
25 Substation. So that would be common with our preferred

1 route, Route 4.

2           And as far as existing plans, same plans  
3 that we've seen on other routes we've looked at. Again,  
4 the University Area Plan is the only one that makes  
5 mention of utilities. Again, we'd further the purpose of  
6 that plan by resulting -- if this route were selected, we  
7 would have a net reduction of 5.7 miles of overhead  
8 utilities, and we would remove 12 poles within that plan  
9 area, and we would be consistent with all the other  
10 specific plans.

11           Route 5 would have a perpendicular crossing  
12 of the Gateway Corridor at Broadway while we were  
13 paralleling Aviation Highway. We would also have a  
14 second perpendicular crossing at Kino Parkway. Again,  
15 that would be on existing structures there where we would  
16 just add the additional conductors. So we believe that  
17 we would be granted special exceptions to both of those  
18 so that we can build this route overhead.

19           And as far as overlay zones are concerned,  
20 ones that we've already seen in other routes, and we  
21 would not be inconsistent with any of these overlay  
22 zones.

23           Historic districts, Route 5 would cross  
24 through or adjacent to five different historic districts,  
25 all of which would not have their designation affected if

1 Route 5 were selected and built.

2 It would cross through or -- cross through  
3 or adjacent to quite a few historic sites, though, that  
4 were -- that were identified in our Class I study. We  
5 found 14 sites that were within the vicinity of Route 5.  
6 Nine of those were determined to be eligible for listing  
7 on the National Register of Historic Places. Five were  
8 found to be not eligible or yet to be evaluated. And of  
9 those only two were recommended that we have a monitor  
10 present.

11 And as far as impact on low-income areas,  
12 Route 5 actually avoids more of the low-income areas  
13 because once it gets into that Aviation Highway corridor  
14 south, all of that area -- well, it's outside of  
15 residential areas, but it's also outside of areas that  
16 are designated as low income.

17 MR. ROBINSON: So most of the challenges  
18 that we're going to run into on the engineering side have  
19 already been previously discussed.

20 Just to highlight that along Stone Avenue  
21 south of Speedway we will have to cross the road in here  
22 because the building setbacks and just to highlight of  
23 the difficulty of construction along the new Aviation  
24 Highway segment that goes just north of downtown Tucson  
25 and the tightness of the corridor that we would try to be



1 building in between the railroad tracks and between  
2 Aviation Highway to where it heads south along Euclid  
3 Avenue.

4 The discussions of what we would do along  
5 Euclid Avenue and into Kino Substation have been  
6 previously discussed on Route 4.

7 And the parallel paths have already been  
8 discussed where a Route C would share a corridor from  
9 Stone Avenue along Speedway north along Park into Adams  
10 and into Vine if that route was chosen, if Route 5 and  
11 Route C were chosen as a combination.

12 BY MS. HILL:

13 Q. Okay. Mr. Bryner, are you prepared for the  
14 virtual tour for Route 5?

15 A. (Mr. Bryner) Yes.

16 Q. All right. Please proceed.

17 A. (Mr. Bryner) So Route 5, again, beginning at  
18 the Vine Substation in the North University neighborhood  
19 follows the same path we've seen for our preferred out  
20 along Adams Street over to Park Avenue past the  
21 University of Arizona and some of the student housing.

22 It continues, though, down Speedway Boulevard.  
23 And here you can see our zigzags from one side of the  
24 road to the other due to the limited building setbacks.

25 And it's West University is on the south side of

1 the road or the left side of the road, and Feldman is on  
2 the north side or right side.

3 You can see the Pima Community College campus  
4 over in this area that was -- we were adjacent to that  
5 for Route C, and we will be for Route 6 as well.

6 Now we're onto Stone Avenue. Again, we have a  
7 couple of zigs and zags from one side of the road to the  
8 other. You can see some of the buildings, how close they  
9 come to the roadway. There's not a lot of room.

10 Approaching downtown Tucson towards the top of  
11 the screen.

12 Winding our way over to the entryway to the  
13 Aviation Highway.

14 Now we're following the Aviation Highway. The  
15 railroad tracks are visible more on the right side of the  
16 screen near the purple line. So you can see the distance  
17 between the edge of the pavement. And we mentioned this  
18 road was just built. You can't even see the striping in  
19 this area, and it doesn't look like all the pavement is  
20 here, but it is a fairly narrow strip of land between the  
21 railroad and the highway.

22 MEMBER FRENCH: Mr. Chairman.

23 CHMN STAFFORD: Yes, Member French.

24 MEMBER FRENCH: A portion of your Route 3  
25 that we previously saw parallels the railroad and

1 Aviation Highway. And at this point the line is also  
2 paralleling Aviation Highway and the railroad but then  
3 turns south.

4 Is there anything depicted here or do you  
5 have any other engineering constraints as to why you  
6 didn't parallel or show a route that parallels from  
7 Route 3 where it crosses Kino Parkway to this location?

8 MR. BRYNER: So, well, we do have the  
9 concerns about the railroad and this -- the whole  
10 stretch. And we felt like the route -- and so there's a  
11 couple concerns, I guess. So you've got -- one, you've  
12 got ADOT. So we'd be in ADOT right-of-way in all this  
13 stretch. And then we've got the railroad as well. So  
14 those are both -- they're not -- they're just challenges  
15 to be overcome, I guess.

16 And so avoiding that when we had other  
17 opportunities -- we also don't have, you know, rights to  
18 be in ADOT right-of-way, whereas we do have rights to be  
19 in city road right-of-way.

20 And so where we had existing infrastructure  
21 and we were going through largely industrial areas we  
22 felt like we had a good path south out of this way on  
23 Euclid and didn't need to include the option of  
24 continuing to parallel Aviation Highway over to the  
25 intersection of Route 3.

1 MEMBER FRENCH: Okay. To make sure I'm  
2 understanding correctly, the areas that you've indicated  
3 in this route and in Route 3, you have had previous  
4 access to because you've had infrastructure already  
5 there, and the area paralleling the railroad and Aviation  
6 Highway between this point and Route 3, you don't have  
7 any infrastructure, so that's presenting other  
8 challenges?

9 MR. BRYNER: So yes and no.  
10 So we don't have any infrastructure on this  
11 stretch that we just went over today either.

12 Sorry. Mr. Robinson was going to say  
13 something.

14 MR. ROBINSON: Yeah. Member French,  
15 there's also a little bit of difference between Route 3  
16 and Route 5 and 6, that parallel condition.

17 In Route 3 the parallel section of that  
18 line is on the south of the railroad tracks and on the  
19 south of Aviation Highway. And it's along the road front  
20 that goes alongside of the railroad tracks.

21 And on section Route 5 and Route 6, the  
22 route is between the railroad tracks and the Aviation  
23 Highway. And that's just a tighter corridor, which means  
24 we're closer to the railroad tracks in those scenarios.

25 And so we didn't evaluate a route that

1 would continue along Aviation Highway because of the  
2 difficulty to build between the railroad tracks and  
3 Aviation Highway down to the railroad crossing at Route 3  
4 where we have it depicted on Route 3 because of that  
5 difficulty.

6 MEMBER FRENCH: What exactly are those  
7 difficulties?

8 Is it space constraints?

9 Is it permitting constraints?

10 MR. ROBINSON: It's a combination of both  
11 of those things, right. There's not space, and we don't  
12 have -- we don't have a permitting mechanism for ADOT, so  
13 we would be asking for variances both from ADOT and from  
14 the railroad -- Union Pacific Railroad for that route  
15 along those highways and the parallel tracks.

16 And in addition to that, there's very  
17 little space in that corridor.

18 MEMBER FRENCH: Okay. Thank you.

19 MEMBER HILL: Can I follow up on that  
20 question?

21 MR. ROBINSON: Sure.

22 MEMBER HILL: And I'll move closer to the  
23 mic.

24 CHMN STAFFORD: You read my mind.

25 MEMBER HILL: With Route 3, you do go to

1 the south side of the railroad line. So you cross  
2 Aviation Highway, you cross the railroad tracks, you go  
3 to the south side of the line.

4 Is that an alignment option for Route 5 and  
5 6?

6 Why did you choose the middle, or could you  
7 cross both Aviation Highway, the railroad like you had  
8 proposed in Route 3, and run it along the other side?

9 Can you talk -- we didn't look at the land  
10 use or the constraints on that side.

11 MR. BRYNER: Yeah. So let me address  
12 Route 3 where we're parallel.

13 So in that case not only are we on the  
14 other side of the Aviation Highway, the railroad tracks,  
15 we're also -- there are buildings, there's warehouses in  
16 between there and the frontage road that Mr. Robinson was  
17 talking about.

18 So we're even -- even further south. So  
19 we're nowhere close. There's no aerial encroachment.  
20 There's no nothing to do with the railroad.

21 Looking at where Routes 5 and 6 run  
22 parallel, there is no opportunity to do that. You jump  
23 over to the south side of the railroad tracks there's no  
24 road -- frontage road running along there like there is  
25 on Warehouse Avenue is what we were paralleling for

1 Route 3, and you're literally in downtown Tucson.

2 MEMBER HILL: Oh, okay.

3 MR. BRYNER: And so you've got dense  
4 development. It's just it would be very messy.

5 MEMBER HILL: Okay. Thank you.

6 I was just trying to compare the two.

7 Thank you.

8 MR. BRYNER: Grace, I think we're good to  
9 proceed.

10 I guess we could back up if you wanted to  
11 see that?

12 CHMN STAFFORD: No. Thank you.

13 MR. BRYNER: Okay. So here we've entered  
14 Toole Avenue. And we're going to -- once we go around  
15 this bend here, we'll be back on Euclid Avenue. So,  
16 again, all these uses -- the land uses in this area,  
17 these are all industrial commercial buildings. And there  
18 are existing overhead facilities throughout this stretch.  
19 They're distribution voltage.

20 Up into this area now we do get some 46kV  
21 voltage that will be also removed ultimately as part of  
22 this project with distribution.

23 And this -- again, this is the same route  
24 as our preferred route, Route 4 as we go through here.

25 There were a couple of substations that we

1 flew by. And we're going to -- on our route tour  
2 tomorrow we'll swing into one of our old substations so  
3 that you can take a look at and take a -- get a firsthand  
4 account of why we need to get these replaced.

5 So this is the residential area that we've  
6 spoken about in the South Park neighborhood.

7 36th Street, we're coming up on. We'll  
8 turn to the left and parallel 36th Street for a couple of  
9 spans before we join up with the existing 138kV line  
10 between Kino and Irvington, and then we'll join those  
11 circuits.

12 And, again, in this area you're not seeing  
13 it on the simulation, but on the north side of the road  
14 there are 46kV lines and distribution lines, and we would  
15 remove those, so you would see a situation similar to  
16 what you're seeing in the fly through is what the  
17 ultimate build would look like.

18 And then crossing over Kino Parkway. I  
19 think there might have been an earthquake that happened  
20 there. The road looked like it had a bit of a jog. And  
21 then into the Kino Substation.

22 BY MS. HILL:

23 Q. Okay. Thank you, Mr. Bryner.

24 And last but not least we still have Route 6.

25 CHMN STAFFORD: We've been going for, I



1 believe, 90 minutes or more, so let's take a 15-minute  
2 recess and let the court reporter rest her hands.

3 MS. HILL: All right.

4 CHMN STAFFORD: With that, we stand in  
5 recess.

6 (Recess from 3:19 p.m. to 3:44 p.m.)

7 CHMN STAFFORD: All right. Let's go back  
8 on the record.

9 We're about to do our final segment  
10 number 6.

11 MS. HILL: That is correct. So thank you,  
12 Mr. Chair.

13 BY MS. HILL:

14 Q. Mr. Bryner, are you prepared to discuss  
15 alternative Route 6 with the Committee?

16 A. (Mr. Bryner) Yes, I am.

17 Q. Okay. Could you please proceed.

18 A. (Mr. Bryner) Okay. So Route 6, the beautiful  
19 part about Route 6 is we've seen every section of this  
20 already for the other routes, so this should go fairly  
21 quickly.

22 Route 6, as you can see, is very long, so it's  
23 7.6 miles. And as such it's one of the more expensive  
24 routes at \$14.8 million. But one of the reasons why it  
25 is so long is it was intended to avoid more residential

1 areas, avoid some of the specific plan areas. So it only  
2 goes through .7 miles of residential. Of that, all is  
3 within low-income areas and it does go through one mile  
4 of historic districts.

5 So it does utilize a lot of areas with existing  
6 overhead utility infrastructure, but because it is so  
7 long it is less than 50 percent of the route that has  
8 overhead utility infrastructure on it today.

9 We would put one and a half miles, circuit miles  
10 of distribution underground if Route 6 were selected and  
11 4.9 miles of overhead communication wires would be moved  
12 underground or relocated.

13 There were four comments that were received in  
14 opposition to Route 6. All spread around different  
15 areas. Too narrow of roadway, less direct, more costly,  
16 and then impacts to transit, including pedestrians.

17 And we received 22 comments that were in support  
18 of this route. Primary amongst those was less impact on  
19 neighborhoods, also uses arterial roads and more direct  
20 but, again, I don't understand that one because it is a  
21 longer route.

22 I'm just really going to verbally describe this  
23 route, but I'm not going to go into very extensive  
24 detail.

25 So Route 6 begins at the Vine Substation, heads

1 east on that corridor between Ring Road and Lester, north  
2 on Campbell, west on Grant, same route as we've seen  
3 for -- this is the same route as Route D up to this  
4 point, and then this is where -- and then south on Stone.

5 So this is common with Route C. All the  
6 way down to Speedway Boulevard at which point it becomes  
7 common with Route 5 that we just went over.

8 I do have one photo simulation for Route 6  
9 that I will share. This is from a key observation point  
10 that we've looked at before, key observation point 63,  
11 but models the infrastructure slightly differently,  
12 because it illustrates the 138kV lines continuing north  
13 along Stone Avenue instead of veering to the east along  
14 Speedway Boulevard.

15 So, again, we've seen this before. Stone  
16 Avenue doesn't have any existing overhead utilities  
17 today. It also has some fairly narrow setbacks to the  
18 existing buildings which would require us to criss-cross  
19 from one side of the other in several places.

20 Route 6 continues down Stone Avenue until  
21 it meets up with Aviation Parkway, follows along  
22 Aviation, sorry, Aviation Highway in a southeast  
23 direction. This is the location that we talked about for  
24 Route 5 where we have the concerns with the Union Pacific  
25 railroad and the ADOT right-of-way. Same location.

1 And then it enters into the common route  
2 with both Routes 5 and our preferred route, Route 4, down  
3 Euclid Avenue to 36th Street, and 36th Street into Kino,  
4 again being collocated with the existing 138kV structures  
5 between Kino and Irvington.

6 The existing plans on this are all ones  
7 that we've talked about before. The one thing that I  
8 just want to mention is the University Area Plan, and the  
9 language in that plan with respect to the location of  
10 utilities. Again, for Route 6 we believe that it would  
11 further the purposes of that plan and would result in a  
12 net reduction of 8.9 miles of overhead utilities and the  
13 removal of 29 poles from within that plan area.

14 And it would be consistent with all other  
15 specific plans.

16 The Gateway Corridor crossings are the same  
17 as Route 5.

18 The overlay zones are the same as Route 5  
19 with the exception of the Jefferson Park Neighborhood  
20 Preservation Zone. Again, Route 6 would be consistent  
21 with all of these overlay zones.

22 Route 6 goes through or adjacent to six  
23 historic districts. Again, these are the same as Route 5  
24 with the exception of Jefferson Park and being located  
25 adjacent to the Catalina Vista Historic District and

1 Route 6 would not have any impact on the designation of  
2 those historic districts.

3 And the class 1 cultural resource results  
4 for this were the exact same, same sites as Route 5, so I  
5 won't go into those.

6 And because of the length of Route 5 -- or  
7 sorry -- of Route 6, it does go through more low-income  
8 areas but since it's designed to avoid more residential  
9 areas fewer of those are within residential areas.

10 A. (Mr. Robinson) So as Clark mentioned before,  
11 we've pretty much talked about all of the challenges that  
12 we would encounter building along this route in other  
13 route selection and other route opportunities.

14 Route 6 does share commonality with all four  
15 potential routes from DMP to Vine and Route C as Clark  
16 had said along Stone Avenue is common to Route C.  
17 Around -- along route A, B, C, and D, it's common along  
18 Grant over to Park, Vine, and then over to Campbell and  
19 in along Vine common to Route D.

20 The rest of the challenges encountered with  
21 building this route from an engineering perspective have  
22 been previously discussed during this hearing.

23 Q. I'm sorry. Mr. Robinson, could you just refresh  
24 the Committee's recollection about whether this route has  
25 any concerns about needing to double stack?

1 A. (Mr. Robinson) Yes. So that would be according  
2 to the routes that are common listed here before. There  
3 would be double circuit potentially in a stacked or a  
4 side-by-side configuration depending on the requirements  
5 from the detailed engineering that we need to do from  
6 Stone at Speedway up to Grant if Route C is chosen.

7 If Route B is chosen, it would be double circuit  
8 from Stone along Grant over to Park Avenue.

9 If Route A is chosen, it would be double circuit  
10 from Grant and Stone over to Vine. And if Route D is  
11 chosen, it would be double circuit configuration from  
12 Stone Avenue along Grant over to Campbell Avenue, south  
13 on Campbell to the Lester/Ring Road corridor, and then  
14 west on Ring Road, Lester into Vine Substation.

15 Q. Okay. And are there areas of that where you  
16 might have to use the taller pole because you would have  
17 to stack?

18 A. (Mr. Robinson) Yes, that's correct. There are  
19 some areas where the building setbacks and the vertical  
20 crossovers may require us to go with a vertical  
21 configuration versus a side by side configuration which  
22 would result in a structure that is 20 feet taller than  
23 what our normal consideration would be.

24 Q. Thank you, Mr. Robinson.

25 MEMBER GOLD: Mr. Chairman.

1 CHMN STAFFORD: Yes, Member Gold.

2 MEMBER GOLD: Question for Mr. Bryner or  
3 Mr. Robinson.

4 Does Route 6 also come to the Tucson  
5 Substation, which is not depicted on the map?

6 MR. BRYNER: Route 6 does not come to the  
7 Tucson Substation. It does come into fairly close  
8 proximity to the Tucson Substation. Both Routes 6 and 5  
9 would come within I'd say a quarter mile.

10 MEMBER GOLD: Gotcha. Thank you.

11 MR. ROBINSON: Yeah. Maybe even less than  
12 a quarter of a mile.

13 MR. BRYNER: And for those who, just to  
14 help folks to understand where the Tucson Substation is  
15 located, it is located -- well, can't really pinpoint it  
16 with this but it's in that area right there. Close to  
17 that little jog in the Dunbar Spring pink line.

18 MEMBER GOLD: Would it help with redundancy  
19 if it did touch the Tucson Substation?

20 MR. BRYNER: I don't think I'm the right  
21 person to answer that question, but what I can answer is  
22 we don't have a location to land that line in the Tucson  
23 Substation without rebuilding it, and there's no space  
24 the rebuild it.

25 MEMBER GOLD: Answers my question. Thank

1 you.

2 MEMBER HILL: Mr. Chairman, I have a  
3 question.

4 CHMN STAFFORD: Yes, Member Hill.

5 MEMBER HILL: So I want to revisit -- so  
6 thank you for the overview of all of these. Adams Street  
7 seems to be the preferred corridor, the preferred street  
8 in proximity to Vine for several alternatives, the use of  
9 Adams Street.

10 Mr. Bryner, you talked a little bit about  
11 the 46kV line that's already in the alley, this  
12 particular street might be a little bit more familiar  
13 with having this type of infrastructure in proximity to  
14 them.

15 In several of the scenarios or options, we  
16 go south and come across Lee or come across Adams and pop  
17 back into the Vine Substation.

18 I'm just curious why Adams and not --  
19 there's -- feels like in some scenarios there's a more  
20 direct route like Elm or Lee, the ones that are little  
21 bit further north. Can you talk a little bit about why  
22 you guys landed on Adams versus Lee or Elm or Lester?  
23 Because all of those kind of dead end -- could dead end  
24 at the Vine Station.

25 MR. BRYNER: Sure. Yeah, Member Hill, to



1 address your question so, again, we focused on the  
2 opportunity that was before us was that 46kV line. So  
3 that was in the alleyway between Lee Street and Adams  
4 Street.

5 So when it became not a possibility, we  
6 focused what we were looking at at Lee Street and Adam  
7 Street as opposed to Lester or some of the other streets.  
8 Those are all residential streets through there,  
9 including Adams, they're all residential streets.

10 But we wanted to focus it on Lee and Adams,  
11 again, since that's where the 46kV was at that would be  
12 removed. And so it's a less dissimilar use to what is  
13 there today. And when looking at Lee and Adams, Adams  
14 was better because it was a little bit wider and it had  
15 about half of that stretch that has parking lot and other  
16 uses on it, whereas Lee is residential on both sides.

17 MEMBER HILL: Okay. That's super helpful.

18 CHMN STAFFORD: Are you finished with your  
19 direct for this panel?

20 MS. HILL: We -- so I have two questions.  
21 Does the -- does the Committee want to see the virtual  
22 tour of Route 6?

23 CHMN STAFFORD: I personally don't feel  
24 like I need to see it, seeing how we've seen every chunk  
25 of it in context of a different segment. So I don't --

1 Members, do you want to see the virtual tour of Route 6?

2 I think we've already seen it.

3 MEMBER KRYDER: We agree with you,

4 Mr. Chairman.

5 MS. HILL: Okay. Thank you.

6 And so we forego the virtual tour of

7 Route 6.

8 And then I have one further question for  
9 the panel before I turn this -- for the Committee before  
10 I turn the panel over the cross-examination.

11 Would you like a brief summary from  
12 Mr. Bryner comparing the routes, that -- all of the  
13 numbered routes, comparing all of them and comparing all  
14 of the lettered routes. We do have one prepared. What  
15 does it take, Clark, five minutes?

16 MR. BRYNER: Probably.

17 MS. HILL: Or we can move straight into  
18 cross.

19 CHMN STAFFORD: Members?

20 MEMBER DRAGO: I vote straight into cross.  
21 I might learn something.

22 CHMN STAFFORD: We can have them, you may  
23 have to do that on redirect or something, but I'm sure  
24 we'll end up hearing it eventually. But the other  
25 parties have been waiting patiently all day to ask their

1 questions and I'd like to give them that opportunity  
2 today. So --

3 MS. HILL: I think that's terrific.

4 Okay. All right. So then at this point, I  
5 also just want to make sure that we move the tour exhibit  
6 into -- that we lay some foundation for the tour exhibit  
7 for tomorrow in case we conclude after cross.

8 CHMN STAFFORD: Well, after cross, before  
9 we recess for the day we're going to talk about that.

10 MS. HILL: All right. I'll take that time  
11 then.

12 CHMN STAFFORD: Thank you.

13 MS. HILL: Okay. All right. Thank you,  
14 then. So at this point, then, the panel is available for  
15 cross-examination.

16 CHMN STAFFORD: All right. Banner Health,  
17 Ms. De Blasi.

18 MS. DE BLASI: Thank you, Mr. Chairman. We  
19 do have questions for the panel.

20

21 CROSS-EXAMINATION

22 BY MS. DE BLASI:

23 Q. Thank you so much, gentlemen. Your descriptions  
24 over the last two days have been really helpful to  
25 understand the routes.

1           Could I have the simulation area along Lester  
2 and Ring Road from the video? Very good. Okay. Thank  
3 you.

4           Just for everyone, this is the simulation video  
5 from Route D-1 that was shown by the applicant.

6           And I'm going to be focusing on Routes D-1, 6,  
7 and A particularly because those are all the routes that  
8 go north and east from the property, from Banner's --  
9 north of Banner's facility.

10           So -- and probably going to be mostly directed  
11 at you, Mr. Bryner, but whomever feels most appropriate  
12 to answer is fine.

13           So I guess as a general matter, in your planning  
14 for routes that are for hospitals and medical facilities  
15 where your lines are going near, are these considered  
16 sensitive receptors for noise emission levels and  
17 interference with communication signals?

18           A. (Mr. Bryner) They're considered sensitive  
19 receptors for noise, not necessarily for communication  
20 signals. We do -- in the application it kind of groups  
21 those under the same factor which is located under  
22 Exhibit I of our application. But it's just the noise.

23           Q. Okay. Terrific. And Mr. Bryner, could you just  
24 please generally describe this video again, this, what's  
25 showing on the screen to just sort of orient us again to

1 what the roads and where the line would go in relation to  
2 the medical campus?

3 A. (Mr. Bryner) Sure. I'd be happy to.

4 So on the left side of the image on the screen  
5 is the medical campus, basically bounded by Ring Road on  
6 the north side of that. And then you have a, it's a  
7 retention basin/park that was built, I believe as part of  
8 the university -- or the medical center's expansion  
9 recently that goes up to Lester Street. Lester Street  
10 runs east/west north of that Parkway and is the boundary  
11 between essentially the hospital and the Jefferson Park  
12 neighborhood.

13 And we would propose our line to run somewhere  
14 in that corridor between Lester Street and Ring Road.

15 Q. Okay. Terrific. And can you just, I know you  
16 mentioned that you might be adjusting the boundaries  
17 based on the conversation yesterday of the requested  
18 corridor, but can you just describe here what would that  
19 corridor -- the width of the corridor be and what would  
20 be encompassed as shown on the video here, or is it  
21 something narrower for this area?

22 A. (Mr. Bryner) So for the -- so there's two  
23 things that -- we're requesting a corridor to give us  
24 some flexibility with our siting of our poles and then  
25 there's an ultimate right-of-way width.

1 I'll speak to the corridor and then maybe I'll  
2 have Mr. Robinson speak to the right-of-way width if that  
3 would be okay.

4 Q. That would be terrific.

5 A. (Mr. Bryner) So as we've mentioned, the  
6 Committee was uncomfortable with our 400-foot-wide siting  
7 corridor, and this is really the primary reason why we  
8 were asking for 400 feet was so that we could have the  
9 flexibility in this area. We didn't need 400 foot along  
10 Campbell or along Euclid or some of those roads, but in  
11 this specific area you can see the distance between Ring  
12 and Lester, and we wanted to have the flexibility that we  
13 could be located along either one of those roads.

14 Ring Road as I mentioned is a private road and  
15 it's owned by Banner. And so we don't have any rights to  
16 go along that roadway today. Whereas Lester is a city  
17 road and so through our franchise agreement we would have  
18 rights to locate within that road right-of-way.

19 And so for that purpose that's why we've  
20 illustrated the lines going down Lester. If we minimize  
21 these road widths -- or sorry -- the siting corridor that  
22 we would request, so that if the Committee was  
23 uncomfortable with us continuing to have this flexibility  
24 of 400 feet in this area and wanted us to focus on one  
25 street or the other, then we would focus on Lester

1 Street, since that's where we have rights today.

2 And I don't know what Banner's position would be  
3 when we approach them to secure rights on that private  
4 property.

5 Q. We'll have a witness to talk about that as well.

6 Okay. And so the easement itself including the  
7 overhead and blowout, what would that look like?

8 A. (Mr. Robinson) So the easement anticipation  
9 along Lester Road would be the road right-of-way plus  
10 15 feet of easement into the -- into the private property  
11 if -- I'm sorry -- plus 15 feet into the private property  
12 maximum if it's a single circuit configuration.

13 Or a single -- a double circuit configuration  
14 that's considered a vertical where both circuits are on  
15 the same side of the structure.

16 A double circuit configuration where the  
17 circuits are side by side, we would need the road  
18 right-of-way plus an additional 30 feet of right-of-way  
19 on the private property side for blowout.

20 Q. Okay. Terrific. And so you're requesting from  
21 this Committee, just to be clear, that it include -- the  
22 corridor for siting would be along Ring Road so that  
23 potentially you could site the line down Ring Road,  
24 understanding it's private and all of those things. But  
25 it would be included in the siting corridor?

1 A. (Mr. Bryner) Our preference if the Committee  
2 were willing to do that, to give us that flexibility  
3 would be to keep it the width that we have today in this  
4 location. So that we could -- we could go down either  
5 road and we could work with Banner, work with the  
6 neighborhood to site those poles.

7 Q. Okay. Understood. And what would the setbacks  
8 look like then if you were to go down -- well, I guess  
9 let's cover either road. So what would the setbacks look  
10 like there for siting in those two roads?

11 A. (Mr. Bryner) We're talking about the setback  
12 from the pavement?

13 Q. Correct.

14 A. (Mr. Bryner) I'll let Mr. Robinson address  
15 that.

16 A. (Mr. Robinson) So that depends on where the  
17 sidewalks are and the edge of right-of-way are. And that  
18 will require us to do detailed engineering for me to  
19 answer that question.

20 Q. Okay. But depending on where they were, you've  
21 got the retained area, that was the agreement between  
22 Banner and the neighborhood on the -- I guess in the  
23 middle of those two roadways, so is it more likely that  
24 you would go on the south side of Ring Road or would you  
25 still impact that area? I don't know if you guys have



1 looked at that yet or not, but --

2 A. (Mr. Robinson) Give me just a minute to consult  
3 with --

4 Q. Oh, sure.

5 A. (Mr. Robinson) The ideal placement along Ring  
6 Road would be to be in the retention basin on the north  
7 side of Ring Road.

8 Q. Okay. And I don't know if you can see, it's  
9 sort of -- there's some text covering up to building, but  
10 from the -- can you tell from the height of these  
11 buildings on the Banner side that they are as tall and  
12 taller than the lines that would be there, that the  
13 viewshed is directly in front of that building?

14 A. (Mr. Bryner) So I don't know the heights of the  
15 building but I would say in looking at the video that  
16 illustrates those 3D buildings, if that's a correct  
17 height, that just comes out of Google Earth, but if  
18 that's a correct height I would agree that those are as  
19 tall or taller than the poles.

20 Q. Okay. Terrific. And to illustrate that, can we  
21 go to applicant's Exhibit G? It's page 757 of the  
22 application. It's showing KOP 29.

23 Okay. Terrific. I don't know if you can tell  
24 from this photograph. Or if you can see it, maybe you  
25 can zoom in on your iPads. But, Mr. Bryner, can you

1 explain what's in -- what's been described on this KOP  
2 29?

3 A. (Mr. Bryner) Sure. So this is a simulation  
4 from the parking garage at Banner. And so it's looking  
5 out over the retention basin and park area that we were  
6 looking at from a different perspective. We were looking  
7 over from Campbell over this direction. The Jefferson  
8 Park neighborhood is located right here. Lester Street  
9 or -- Lester Street is located on the north side of the  
10 Park. And it's a view looking towards the Catalina  
11 mountains.

12 Q. And that's a current view; correct?

13 A. (Mr. Bryner) That's the current view. And I  
14 guess, let me describe what we're seeing in the  
15 simulation as well, then. And so in the simulation,  
16 we're showing our poles cutting across that view along  
17 the northern -- along the southern side of Lester Street.

18 Q. Okay. And this was taken from what vantage  
19 point?

20 A. (Mr. Bryner) It was on the top level of the  
21 parking -- I know there are several parking garages on  
22 the hospital campus, but the parking garage located  
23 closest to Ring Road on the eastern side of the campus.

24 Q. Okay. And those are the Catalina mountains in  
25 the background?

1 A. (Mr. Bryner) Yes.

2 Q. Okay. And are those -- I don't know if you can  
3 see them, it's hard to tell from this far away, but are  
4 those 46kV lines in the top in the current photograph,  
5 you can kind of see in the middle of the photograph?

6 A. (Mr. Bryner) Sorry. Yes, it is. I was going  
7 to point them out, but my remote -- there we go. Yes,  
8 these right here, that's a 46kV, 46kV pole, 46kV pole.  
9 And those are the poles that run in the alleyway between  
10 or just north of Lester Street, and then run up along  
11 Martin Avenue toward Grant.

12 Q. And what's the approximate height of those  
13 poles? Do you know?

14 A. (Mr. Robinson) 45 feet.

15 A. (Mr. Bryner) 45 feet.

16 Q. Okay. And so in the simulated -- the bottom  
17 photograph showing the 138kV line, what is the  
18 approximate height of that pole and lines?

19 A. (Mr. Bryner) I'll let Mr. Robinson answer.

20 Q. Okay. Yeah, whichever?

21 A. (Mr. Robinson) So the simulations were based on  
22 the application -- the applied structure heights that we  
23 put into our application. I believe this is shown at a  
24 90-foot structure.

25 Q. Okay. So about double the height?

1 A. (Mr. Robinson) Close, yes.

2 Q. Okay. And as we saw on the previous video,  
3 there were buildings that were, you know, pretty tall in  
4 that simulation. Would you say here as well that in the  
5 bottom photograph, that that line would be directly  
6 visible from somewhere in -- I know you don't need to  
7 testify to the height of the building, but it would be  
8 visible somewhere in the eye -- direct eyesight of the  
9 windows on the side of the Banner building, the hospital?

10 A. (Mr. Bryner) Yeah, I would agree that it would  
11 be visible.

12 Q. Okay. And this would be the case for Routes D,  
13 1, 6, and A? I know A is a different configuration  
14 that's shown here, but it would essentially be going  
15 north. Would you agree with that?

16 A. (Mr. Bryner) I would agree with 1, 6, and D.  
17 A is located along Vine Avenue further to the  
18 west of here. And I believe there may be vantage points  
19 where it would be visible from the hospital, but I don't  
20 believe that it would obstruct this view.

21 Q. Correct. Yeah. Understood.

22 Are you aware of -- well, let me ask you this  
23 first while we're on this circuit.

24 There's been some discussion that this line  
25 might be double circuited, whether it's stacked or side

1 by side. If that was the case, would it make -- first of  
2 all, is that what's shown in this photograph? Or is this  
3 a single line?

4 A. (Mr. Bryner) This shows a single circuit, yeah.  
5 Single circuit.

6 Q. Okay. So if it was double it might be more  
7 prevalent to the viewshed?

8 A. (Mr. Bryner) Basically you'd see what you're  
9 seeing right there with, in this case we shouldn't need  
10 to do this stacked configuration that Mr. Robinson was  
11 talking about. But we could have that side by side  
12 configuration, so it's going to look fairly similar to  
13 this, but you're going to have three more sets of wires  
14 in there which could throw a little bit more, I guess,  
15 wires in the viewshed.

16 Q. Okay. And that would go all the way to Campbell  
17 Avenue on Routes D -- D-1 and 6; correct?

18 A. (Mr. Bryner) Correct.

19 Q. Are you aware that there are life flight  
20 helicopter operations that are going on at the hospital?  
21 Has that been brought up to you in discussions with  
22 Banner?

23 A. (Mr. Bryner) It has not come up in our recent  
24 discussions with Banner. I know that was a matter of  
25 discussion in the previous siting study.

1 Q. Okay. And might power lines -- have you sited  
2 before where power lines impact the, you know, flight  
3 paths of helicopters in that kind of situation?

4 A. (Mr. Bryner) Sure. That's something that we  
5 consider in the siting of any of our power lines.

6 Q. Okay. And as I mentioned, we'll have a witness  
7 discussing these issues for that. But there's a chance  
8 that that height of this line might interfere with the  
9 path of a helicopter trying to land at the hospital?

10 A. (Mr. Bryner) It's something to be considered.  
11 We don't believe that these poles would be an  
12 interference with that.

13 Q. Okay.

14 MS. DE BLASI: I think that's all I had,  
15 Chairman.

16 CHMN STAFFORD: Thank you.

17 Next let's have City of Tucson, Lusk.

18 MR. LUSK: Thank you, Mr. Chair.

19

20 CROSS-EXAMINATION

21 BY MR. LUSK:

22 Q. Mr. Bryner, I'm going to try not to jump around  
23 but I might, so I apologize ahead.

24 Real quick, we're going to go back to the  
25 witness presentation Slide 54, I believe, if we could.

1           While we're getting there, I'll go ahead and ask  
2 my question. We talked about the slide itself.

3           I believe what's depicted in that slide are some  
4 poles that you described as being removed, and it's not  
5 specific to a particular pole but you suggest that the  
6 distribution poles in particular areas will be removed;  
7 is that correct?

8           A.     (Mr. Bryner) Can I wait until I see it or I can  
9 open it up in my --

10          Q.     Well, just generally, you're on -- all of the  
11 routes you're going to remove some distribution poles;  
12 correct?

13          A.     (Mr. Bryner) That's correct.

14          Q.     Can you talk about sort of the -- how the plan  
15 for that works? Is it you will remove the poles after  
16 the new poles are installed and energized? Or is there  
17 some lag in that?

18          A.     (Mr. Bryner) I think I'm going to defer that to  
19 Mr. Robinson if that's okay.

20          Q.     Thank you.

21          A.     (Mr. Robinson) So relocation of the  
22 distribution system will take place prior to construction  
23 because we need that distribution corridor clear.

24                 There are some scenarios shown here where the  
25 transmission line is on the opposite side of the street.

1 But in order to execute the overall project, we would do  
2 all of the distribution undergrounding prior to  
3 installation of the overhead transmission line.

4 Q. And Mr. Robinson, does that include the  
5 communications on those distribution poles?

6 A. (Mr. Robinson) The communication relocations  
7 would need to be coordinated with the owners of those  
8 facilities as joint-use attachers.

9 Q. So I think we have 54 up here.

10 I believe there's a communications pole in this  
11 slide. Is that right?

12 A. (Mr. Robinson) Yes, I believe that the wires  
13 that are shown on the west side of Vine --

14 Q. Yes.

15 A. (Mr. Robinson) -- are communication poles,  
16 communication wires.

17 Q. But there's no -- that's not a TEP distribution  
18 pole?

19 A. (Mr. Robinson) That's correct. We don't have  
20 any distribution facilities on this wire, and I believe  
21 during Mr. Bryner's testimony, he said these would not be  
22 relocated because we don't own these poles.

23 Q. And in a hypothetical where you would need to go  
24 down whatever route was chosen, you would not be able to  
25 build over that pole, though; correct?



1 A. (Mr. Robinson) No, that's actually incorrect.  
2 We can -- we build over joint-use communication on a  
3 regular basis.

4 Q. So you would build a transmission line above  
5 that pole and that pole would remain?

6 A. (Mr. Robinson) That's correct.

7 Q. Okay. Is there any sense -- so in terms of the  
8 communications themselves, you will remove the  
9 distribution from those poles, but if there are  
10 communication lines you have to wait for that  
11 communication company to do whatever they're going to do?

12 A. (Mr. Robinson) To coordinate the  
13 undergrounding. So during our design process, we would  
14 coordinate with all the joint-use attachers and make them  
15 aware of the project that's coming up, and allow them  
16 time to codesign with us and collocate in the trench that  
17 we're putting our facilities underground with.

18 But they would have to transfer to those  
19 facilities, usually it takes place after we've relocated  
20 the distribution and taken it out of service.

21 Q. Do you have a sense of how long that process  
22 might take or in your experience how long it has taken, I  
23 guess?

24 A. (Mr. Robinson) In our experience on projects  
25 like this, it generally is a matter of a month or two

1 within when we've relocated our distribution.

2 Q. So we're not talking about -- and I think what  
3 I'm trying to get some clarity on, and I -- maybe it  
4 might be helpful for others to get clarity on it, is  
5 there was discussion about that the total undergrounding  
6 of the distribution lines and those sorts of things could  
7 take up to 10 years and I want to sort of -- that sounds  
8 pretty -- I mean that sounds scary to me, but I want to  
9 make sure that we're not giving the false impression that  
10 they're just going to be both poles for ten years. It  
11 sounds like that's more to complete the whole project.  
12 Does that sound right?

13 A. (Mr. Robinson) That's correct. That would  
14 involve the retirement of all of the 46 facilities and  
15 the eight substations that we intend to take out of  
16 service. And that transition of load between the 46  
17 system, 4kV system, and the new 138, 14kV system, that's  
18 the ten-year window that we're talking about there.

19 Q. So is there a tighter window that we can sort of  
20 talk about for just distribution and communications?  
21 Because I notice for every route you list the amount of  
22 communications and amount of overhead distribution that  
23 you're going to underground. Is that a lesser time than  
24 ten years, I'm guessing?

25 A. (Mr. Robinson) Yes, it is. So as I previously

1 just testified, the distribution underground relocation  
2 will take place prior to the installation of the  
3 transmission facilities. And the coordination of the  
4 joint-use attachment relocation will begin at the time  
5 that distribution is undergrounded. It's usually  
6 completed within a month or two of when we are  
7 underground.

8 Q. Thank you. That's helpful.

9 A. (Mr. Bryner) If I could just clarify real  
10 quick, Mr. Lusk.

11 Q. Sure. Go ahead.

12 A. (Mr. Bryner) The ten-year time frame is  
13 primarily for that conversion work from the 4kV to the  
14 14kV, which goes well beyond the areas that would be  
15 affected by the transmission line.

16 Q. I gotcha. And I think you mentioned  
17 earlier, Mr. Bryner, that the joint-use attachers attach  
18 to distribution poles but not necessarily to  
19 those transmission poles, or are the lower voltage  
20 transmission poles available for joint-use attachers as  
21 well?

22 A. (Mr. Bryner) I think Mr. Robinson can -- so  
23 I'll let him.

24 Q. Thank you.

25 A. (Mr. Robinson) Can you re-ask that question?

1 Q. Sure. I guess my question is are the joint-use  
2 attachers, are the lower voltage, the 4kV and the 14kV,  
3 available for joint-use attachers and are you allowing  
4 that?

5 A. (Mr. Robinson) Yes. So according to federal  
6 regulation we have to allow that on distribution  
7 voltages. We do not have to allow that on transmission  
8 voltages. That's only allowed by our own acceptance if  
9 we choose to on high voltage.

10 Q. Thank you for that clarification.

11 As we're talking, I think we can go, let's see,  
12 I want to talk generally about the special exception  
13 process that you've discussed throughout.

14 It affects several of the routes; correct?

15 A. (Mr. Bryner) I think it affects all of the  
16 routes.

17 Q. Right. You're correct. And then the way it  
18 affects the routes is little bit different, right? So  
19 all of the routes cross perpendicularly a Gateway  
20 Corridor Zone; is that correct?

21 A. (Mr. Bryner) That's correct.

22 Q. And several of the routes are not -- don't just  
23 cross, they actually are within or parallel to a Gateway  
24 Corridor?

25 A. (Mr. Bryner) That is also correct.

1 Q. You mentioned earlier that you feel confident  
2 that the special exception process would apply in  
3 situations where you would cross perpendicularly?

4 A. (Mr. Bryner) We've never been through the  
5 special exception process. But the way we read the  
6 criteria we feel like if we're interpreting it correctly,  
7 then we feel like we qualify, and it wouldn't be a  
8 problem.

9 Q. Thank you, Mr. Bryner. And just to clarify, you  
10 had input on its creation, that specific special  
11 exception process?

12 A. (Mr. Bryner) Yes, that is correct.

13 Q. And just to clarify, and if you don't know the  
14 answer to this please feel free to say so, we will have a  
15 witness available to talk about this.

16 But there are actually two separate special  
17 exception processes involved in this project; correct?

18 A. (Mr. Bryner) Yes.

19 Q. And can you just -- if you feel comfortable can  
20 you differentiate them just slightly?

21 A. (Mr. Bryner) So we have the special exceptions  
22 associated with the Gateway Corridor Zone that we've  
23 talked about extensively.

24 And then the Vine Substation would require a  
25 special exception as well.

1 Q. Okay. And I'm going to refer you just to -- to  
2 be clear for the Committee that for right now we'll be  
3 talking about the special exception process for the  
4 Gateway Corridor Zone. Is that fair?

5 A. (Mr. Bryner) Yes.

6 Q. Okay. And because the crossings of the Gateway  
7 Corridor Zone are perpendicular, that is actually one of  
8 the criteria for that special exception process; correct?

9 A. (Mr. Bryner) Yes.

10 Q. For the sections -- now, there are sections, and  
11 actually I apologize, I don't recall the actual exhibit.  
12 But if we could go to just a general map of the various  
13 routes?

14 MR. BRYNER: Grace, could you go to  
15 slide 43?

16 MR. LUSK: Thank you, Mr. Bryner.

17 BY MR. LUSK:

18 Q. While we're getting there, Mr. Bryner, I'm going  
19 to ask you, did you participate in the special exception  
20 process from the Vine Substation?

21 A. (Mr. Bryner) I did not.

22 Q. Okay. Who in your organization did, if you can  
23 recall?

24 A. (Mr. Bryner) So Brian Pugh, he's our supervisor  
25 in our land resources over environmental and land use

1 planning. He -- I believe he led up that process.

2 Q. Thank you.

3 As far as the routes depicted on Slide 43 that's  
4 now showing, I think we've discussed this already, but  
5 just to clarify for the Committee. The perpendicular  
6 crossings apply to every -- every route; correct?

7 A. (Mr. Bryner) Correct.

8 Q. Both east-west and north-south -- let me  
9 clarify.

10 The east-west routes cross Oracle, which is a  
11 Gateway Corridor; correct?

12 A. (Mr. Bryner) Correct.

13 Q. And then the north-south routes cross at least  
14 Broadway which is also a Gateway Corridor?

15 A. (Mr. Bryner) That's correct.

16 Q. And that's the process we were just discussing?

17 A. (Mr. Bryner) Yes. As I understand it, yes.

18 Q. Thank you. And you're familiar with the special  
19 exception process that's described in the Tucson City  
20 Code or the UDC. Is that a process that TEP could comply  
21 with in terms of going through the process?

22 A. (Mr. Bryner) Yes. It seems very similar to the  
23 process we go through for a substation when we need to  
24 get a special exception. And so, yes, something that we  
25 have no problem going through.

1 Q. And you've done that as you just mentioned,  
2 you've done that multiple times before for the  
3 substations?

4 A. (Mr. Bryner) Yes. Many of our substations  
5 sites have required that.

6 Q. Okay. Anything about the Vine special exception  
7 process do you feel like you would encounter any  
8 difficulties other than normally, what you normally do?

9 A. (Mr. Bryner) Well, I know Mr. Dempsey mentioned  
10 in his opening remarks that it is located within the  
11 University Area Plan, and that was something that was  
12 mentioned in the -- I don't know what we call it, the  
13 denial of the special exception the first time we applied  
14 for it. That was mentioned in the context of not knowing  
15 where the transmission line route goes.

16 And so I think that would be something that  
17 could potentially be at issue.

18 Q. Beyond what's at issue, just the process itself,  
19 it doesn't pose any particular extra difficulty other  
20 than any other substation; correct?

21 A. (Mr. Bryner) No, that's correct.

22 Q. The special exception going -- again, that's a  
23 separate special exception process, I'll direct you now,  
24 again, to the Gateway Corridor Zone special exception  
25 process.



1           The process for the routes 6 and D which run  
2 along the Gateway Corridor or the Campbell Gateway  
3 Corridor as well as 1 and 2, those all run parallel with  
4 the Gateway Corridor Zone; correct?

5           A.     (Mr. Bryner) Correct.

6           Q.     The special exception process for the Gateway  
7 Corridor Zone, does that contemplate a process by which  
8 you could go through for those routes as well?

9           A.     (Mr. Bryner) So it does have a process for  
10 parallel. So, yes.

11          Q.     And is there anything special about that process  
12 versus for perpendicular?

13          A.     (Mr. Bryner) As I understand it, it's the same  
14 process.

15          Q.     Okay. And is that something that TEP could  
16 comply with in terms of going through the process?

17          A.     (Mr. Bryner) Yes, we could.

18          Q.     And is it particularly expensive to go through  
19 the process as compared to any other special exception  
20 process?

21          A.     (Mr. Bryner) Again, we haven't gone through it  
22 for the gateway --

23          Q.     Sure.

24          A.     (Mr. Bryner) -- but I assume it would be fairly  
25 similar to that effort.

1 Q. All right. Thank you. So, again, we're talking  
2 about for the routes that are in the Gateway Corridor  
3 Zone, there is a special exception process for -- that  
4 are in the Gateway Corridor Zone and parallel to it for  
5 1, 2, D -- I'm sorry, I'm getting the greens mixed up. I  
6 apologize.

7 The 1, 2, and 6 would all involve the same  
8 special exception process?

9 A. (Mr. Bryner) You might want to add D in there.

10 Q. Let's go with D, too.

11 A. (Mr. Bryner) Okay. Yes.

12 Q. Thank you. And to just for the Committee's  
13 reminder, the preferred route is B-4?

14 A. (Mr. Bryner) Correct.

15 Q. That would also involve the special exception  
16 process for the perpendicular crossings?

17 A. (Mr. Bryner) Yes.

18 Q. And those would be Oracle and Broadway. Am I  
19 missing any?

20 A. (Mr. Bryner) Well, Kino Parkway.

21 Q. Down at the bottom. Thank you.

22 Anything about any of that that would pose a  
23 particularly unusual difficulty to go through those  
24 processes?

25 A. (Mr. Bryner) No.

1 MR. LUSK: Okay. Thank you. I don't have  
2 anything further. Thank you.

3 CHMN STAFFORD: Thank you. Up next,  
4 Underground Arizona, Mr. Dempsey.

5

6 CROSS-EXAMINATION

7 BY MR. DEMPSEY:

8 Q. I apologize if I'm a little slower. The  
9 afternoons are not my best time of day compared to  
10 morning.

11 CHMN STAFFORD: It's been a long day.

12 MS. HILL: You mean, even on the days when  
13 you don't have to sit through 12 different routes?

14 MR. DEMPSEY: So I apologize. I'm going to  
15 be jumping around, too, because there's a lot of  
16 different topics here.

17 BY MR. DEMPSEY:

18 Q. So I guess I'll start with you, Clark.

19 You talk about all poles as though they are the  
20 same. Do you have a count of poles by height?

21 A. (Mr. Bryner) We have details on our poles. We  
22 don't necessarily have them by height, but -- well, we  
23 don't have a count by height but we could create a count  
24 by height.

25 Q. Could you -- I guess I can ask you. So you guys

1 talk about a reduction in poles. Does that include new  
2 service poles that would be required?

3 MS. HILL: I'm sorry. Mr. Chairman, could  
4 you just ask Mr. Dempsey to be specific about whether  
5 he's referring to one specific route, all the routes in  
6 general so that Mr. Bryner can make sure that he's  
7 answering the question that's asked.

8 CHMN STAFFORD: Yeah, Mr. Dempsey, I took  
9 it to mean that you're talking about all routes.

10 MR. DEMPSEY: Yeah. Just generally.

11 BY MR. DEMPSEY:

12 Q. Because you said it I think basically on every  
13 route?

14 A. (Mr. Bryner) We did not contemplate new service  
15 poles in our net reduction.

16 Q. Okay. So how many of the existing poles in  
17 these areas are as tall as the poles you're proposing to  
18 replace them with?

19 A. (Mr. Bryner) I don't have that information  
20 right now.

21 Q. Is it fair to say that not everyone will agree  
22 that replacing a short or smaller pole with a larger pole  
23 or taller pole may be considered a visual -- may be  
24 considered a visual downgrade?

25 A. (Mr. Bryner) Can you say that one more time for

1 me?

2 Q. Sorry. Is it fair to say that not everyone will  
3 agree that replacing a short or smaller pole with a  
4 larger or taller pole is considered a visual upgrade?

5 I think I screwed up. Did it still not make  
6 sense?

7 A. (Mr. Bryner) I'm trying to follow.

8 A. (Mr. Robinson) A visual improvement.

9 A. (Mr. Bryner) A visual improvement?

10 Q. A visual improvement, yes.

11 A. (Mr. Bryner) Let me rephrase in maybe a way to  
12 make sure I'm understanding. Are you saying if somebody  
13 takes a smaller pole, makes it a larger pole, they might  
14 not see that as a visual improvement?

15 Q. Right. Right.

16 A. (Mr. Bryner) Well, I mean you look at any of us  
17 and we might say differently.

18 Q. Right.

19 A. (Mr. Bryner) So I wouldn't say everybody. But  
20 I think, I honestly -- I think it's in the eye of the  
21 beholder. There are advantages to larger poles in many  
22 cases. You look underneath the infrastructure instead of  
23 at it.

24 Q. Right. Thank you. Has the City advised TEP  
25 that reducing pole counts while increasing pole heights

1 would satisfy any undergrounding requirements of any  
2 ordinance or specific plan?

3 A. (Mr. Bryner) We have not had those discussions  
4 with the City. Those are our assumptions.

5 Q. Are there transmission lines through any of  
6 these areas?

7 A. (Mr. Bryner) You'll have to be more specific on  
8 which areas you're talking about.

9 Q. The study area, is there a transmission line in  
10 the study area?

11 A. (Mr. Bryner) Let me just, again, I'm not trying  
12 to be difficult, I just want to clarify. When we are  
13 talking about transmission, are we talking about  
14 transmission in the definition of the line siting  
15 statute?

16 Q. Arizona, yes.

17 A. (Mr. Bryner) Okay.

18 Q. 115kV and plus.

19 A. (Mr. Bryner) Okay. So we have the Irvington to  
20 Kino 138kV transmission line. The very southern  
21 boundary, and then there are transmission lines up around  
22 the DeMoss Petrie Substation, and then there are some  
23 other transmission lines that run east-west in the  
24 northern portion of the study area.

25 Q. But generally speaking around the University of

1 Arizona there are no transmission lines?

2 A. (Mr. Bryner) No transmission lines; correct.

3 Q. Thank you. So changing it up here a little. So  
4 you kept saying, "Communication wires that will be  
5 undergrounded or relocated." You say "undergrounded or  
6 relocated."

7 You seem to be very optimistic that  
8 communication wires will be undergrounded instead of  
9 using new poles or something like that. Do you have any  
10 way to guarantee that it will be undergrounded or  
11 visually improved?

12 A. (Mr. Bryner) So I have less experience with  
13 that. If you're okay, could Mr. Robinson answer that?

14 Q. Absolutely. Sorry. Yeah.

15 A. (Mr. Robinson) Sure. So the joint-use  
16 attachers, we don't have right to tell them exactly how  
17 they're going to mitigate the use of that pole. So it  
18 would be inappropriate for me to answer that question.

19 Q. So you don't have control over what they do,  
20 though, is what you're saying? Yes?

21 A. (Mr. Robinson) That's correct.

22 Q. So is it fair to say that your simulation is  
23 optimistic, your visual simulation?

24 A. (Mr. Bryner) So what we do have control over is  
25 that they have to leave our poles.

1 Q. Right.

2 A. (Mr. Bryner) And so that is what we've  
3 illustrated in our simulation.

4 Q. Okay. Okay. So switching to distribution. So  
5 if eight years from now you or your successors decide not  
6 to do the things to the distribution system that you  
7 claim you will do here, what can anybody do about it?

8 A. (Mr. Bryner) That might be more of a legal  
9 question. I'm not sure.

10 Q. Okay. Is it fair to say that the only --

11 CHMN STAFFORD: One second. Ms. Hill,  
12 would you like to take a stab at that?

13 MS. HILL: Certainly. So there are a  
14 couple of things. Number one is, of course, that's part  
15 of the CEC process, and what we were discussing are  
16 things that we would do as part of the mitigation and as  
17 part of the building of this line.

18 And so the very first thing that could  
19 happen of course, the obvious thing is this Committee  
20 could have a condition about undergrounding the 46kV.

21 And that would be the most immediate  
22 solution with a Committee that has jurisdiction over it,  
23 and then there are enforcement mechanisms of course under  
24 the CEC process.

25 So I mean, I would start there, as a



1 response for this Committee.

2 CHMN STAFFORD: And I assume that the City  
3 may have some authority in this realm as well, Mr. Lusk.

4 MR. LUSK: Mr. Chair, yes, we believe we  
5 do. Yes.

6 CHMN STAFFORD: Thank you. Please proceed,  
7 Mr. Dempsey.

8 MR. DEMPSEY: That was my next question, so  
9 thank you.

10 Sorry. Give me a second here. Go ahead.

11 MR. ROBINSON: Mr. Dempsey, can I do  
12 just some minor correction? I think Ms. Hill referred to  
13 the undergrounding of the 46 system. That is actually  
14 the undergrounding of the 14kV system. We don't  
15 anticipate undergrounding any 46 as part of this project.

16 We will abandon unused 46 and as the  
17 project continues to convert from 4kV to 14, 8, 138 the  
18 overhead 46 will be abandoned and removed.

19 Can I also clarify one additional section?

20 And that is one of the purpose and needs of  
21 the project is that the 46 and 4kV system is overloaded  
22 at this time, and without the conversion that overload  
23 stays in place in the future. So the 4kV conversion  
24 needs to occur because it's overloaded.

25 MS. HILL: Thank you for the correction.

1 Sorry, it's a late in the day, misstatement on my part on  
2 the distribution voltage versus the 46kV, so thank you  
3 very much.

4 MEMBER RICHINS: Chairman.

5 CHMN STAFFORD: Yes, Member Richins.

6 MEMBER RICHINS: Just a quick question.

7 The removal of the 46kV system and the remediation of  
8 your eight other -- I think there's eight -- and so all  
9 of the stuff that you're removing as part of this  
10 project, is that given to us for information only? Or is  
11 that part of the consideration of granting the CEC?

12 CHMN STAFFORD: I think that could be  
13 either one. My understanding is that the 46kV system is  
14 going to be replaced by the 138kV system. And then they  
15 have a 4kV -- well, 4 point something kV system, which is  
16 like the lower distribution, and it's going to be  
17 upgraded to a 14 point something kV system.

18 MEMBER RICHINS: Right.

19 CHMN STAFFORD: And I think the second  
20 part, that's them handling their distribution network;  
21 whereas, the replacing of the -- eliminating the 46kV is  
22 part of this project specifically, for this 138, the  
23 addition of the 138kV.

24 MEMBER RICHINS: Yeah, but I think I'm just  
25 asking a question of jurisdiction on the removal of the

1 existing stuff. I just, I'm not sure if that's part of  
2 what we put in a CEC, if that is something that we -- or  
3 it's just like thanks for letting us know that, but  
4 here's the route for 138.

5 CHMN STAFFORD: I think it's entirely  
6 possible it could be a condition of the CEC, if it's a  
7 reasonable condition, because that's what the statute  
8 allows us to do. It doesn't limit us. I mean, they  
9 don't get before us outside the context of a 110kV line  
10 or higher. But how -- but the conditions the Committee  
11 chooses to impose to mitigate the impacts of that new  
12 line I think are pretty broad.

13 MEMBER RICHINS: And so then it becomes  
14 more of a question of jurisdiction. Is it the -- this  
15 Committee or is it the City of Tucson under their  
16 franchise agreement?

17 CHMN STAFFORD: Well, I think both overlap  
18 what because we don't -- the Committee can pose a  
19 condition on granting the CEC whereas the City enforces  
20 its franchise with the utility.

21 MEMBER RICHINS: Okay. Thanks.

22 CHMN STAFFORD: Please correct me if I'm  
23 misstating anything, Ms. Hill or Mr. Ancharski.

24 MS. HILL: No, Chairman Stafford. I agree  
25 with you.

1 CHMN STAFFORD: Okay. Thank you.

2 MEMBER GOLD: Mr. Chairman.

3 CHMN STAFFORD: Member Gold.

4 MEMBER GOLD: A question regarding this  
5 topic. Do the old 4kV -- am I close enough to this  
6 thing?

7 The older obsolete 4kV system and 46kV  
8 system that you're going to be replacing, do they have  
9 value?

10 MR. BRYNER: Do they have value as in terms  
11 of on our books?

12 MEMBER GOLD: Do they have value in terms  
13 of you take them down and you sell the metal or you reuse  
14 the wood?

15 CHMN STAFFORD: Oh, like salvage value.

16 MEMBER GOLD: Salvage value.

17 MR. BRYNER: Certainly our substation  
18 equipment is primarily metal and that is a practice we do  
19 today is we take that scrap, what can be, sell it. I'm  
20 doubtful that a lot of our old wood poles would have much  
21 value. They basically need to be replaced for a reason.

22 MEMBER GOLD: My question is when you're  
23 replacing the 4 and the 48kV [sic] equipment are you  
24 going to get rid of the -- are you going to take down the  
25 eyesores?

1 MR. BRYNER: Oh, correct, yes. So part of  
2 the project, part of the beauty of this project really is  
3 it addresses so many issues that we have from we need the  
4 extra capacity, so the 138kV system, the Vine Substation  
5 are going to address that.

6 It also -- we need to address the aging  
7 46kV system which we address by retiring those  
8 substations, retiring those older lines that otherwise  
9 would have need of replacement. A similar situation  
10 existing on the 4kV distribution system.

11 MEMBER GOLD: So if I understand this  
12 correctly, you have every intention of removing the old  
13 eyesores.

14 MR. BRYNER: Correct. We don't get the  
15 full value of the project without that.

16 MEMBER GOLD: Thank you.

17 MR. ROBINSON: Member Gold, can I also add,  
18 though, in removing the 4kV system, that 4kV system will  
19 be replaced with a 14kV system.

20 So it will be new but it will still be  
21 there. The 46kV system will be removed in its entirety.

22 MEMBER GOLD: And the 14kV system, is that  
23 one that's undergrounded or is that going to be on poles?

24 MR. ROBINSON: It will be undergrounded  
25 only along the transmission line path. Elsewhere it will

1 be aboveground.

2 MEMBER GOLD: So the ones that you are not  
3 replacing will just remain as they are and they are not  
4 obsolete.

5 MR. ROBINSON: They'll be replaced with  
6 14kV standard poles which will be updated to our current  
7 standard.

8 MEMBER GOLD: Thank you.

9 CHMN STAFFORD: Thank you, Member Gold.  
10 Mr. Dempsey.

11 MR. DEMPSEY: I actually have a question  
12 building off of Member Gold's question.

13 By MR. DEMPSEY:

14 Q. So you're abandoning removing these poles, the  
15 distribution poles. Can the communication companies say,  
16 "Hey, no, just cut the tops off, we're going to keep  
17 using them"?

18 A. (Mr. Robinson) They cannot. We own those  
19 poles, as Clark said, and we no longer have to maintain  
20 that joint-use agreement once we've taken our facilities  
21 off.

22 Q. So they would have to, if they wanted to  
23 continue to use poles and not, you know, trench or  
24 whatever underground, they would have to install their  
25 own new poles?

1 A. (Mr. Robinson) That's correct.

2 Q. Okay. Thank you.

3 CHMN STAFFORD: Quick follow-up question.

4 But they do -- but those telecom companies have their own  
5 franchise with the City as well, don't they?

6 MR. ROBINSON: They do, but I'm not  
7 knowledgeable as to what that looks like.

8 CHMN STAFFORD: Right. Maybe we can ask  
9 Mr. Lusk. They do have -- the details of the franchise  
10 agreement I don't think are important for this, it's just  
11 the issue that their behavior is governed in a similar  
12 manner to yours is by a franchise.

13 MR. LUSK: So generally yes, Chair. The --  
14 they don't have franchise agreements with the City, they  
15 have lines agreement which are a little bit different.

16 But they are supposed to have additional  
17 authority, under our franchise agreement with TEP,  
18 they're supposed to have authority from the City to be in  
19 the City's right-of-way even if they're engaged in a  
20 joint-use agreement with TEP. I can't say for sure that  
21 is always the case, but this is what's supposed to  
22 happen, yes.

23 CHMN STAFFORD: So typically they have the  
24 lines and not a franchise, then?

25 MR. LUSK: Correct.

1 CHMN STAFFORD: Okay. Thank you for the  
2 correction.

3 MR. LUSK: Absolutely.

4 BY MR. DEMPSEY:

5 Q. So I'm changing gears here again, building on  
6 previous questions.

7 Can we put up the map just of all the routes? I  
8 guess, or we can refer to the ones in front of us.

9 So is it -- Clark, routes A and Route B are what  
10 I'm going to be comparing to each other.

11 So is it fair to say that the length difference  
12 from Vine to Park on Route B is about the same as the  
13 length difference from Vine to Grant on Route A?

14 A. (Mr. Bryner) All right. Sorry, Dan, it's  
15 getting late in the day. One more time.

16 Q. I'm surprised I got it out. So is it fair to  
17 say that the length difference from Vine to Park on  
18 Route B is about the same as the length difference from  
19 Vine to Grant on Route A?

20 A. (Mr. Bryner) Vine -- oh, from the Vine  
21 Substation?

22 Q. Yeah, yeah, yeah.

23 A. (Mr. Bryner) Okay. Yes, I think those are  
24 roughly comparable.

25 Q. Okay. So why does, since they're basically the



1 same outside of that little section, why does Route B  
2 cost two million more dollars?

3 A. (Mr. Bryner) That's a fairly easy question for  
4 me to answer. Vine Avenue, if you recall going through  
5 that, it doesn't have any overhead utilities on it today.  
6 Park Avenue has the 46kV along it. It's also got  
7 distribution underbuild and the communications. And so  
8 that extra \$2 million is for the relocation of the  
9 distribution underground and then we'll retire the 46kV.

10 Q. Okay. And so I believe that you said you're  
11 doing that just because of stakeholder preferences; is  
12 that right?

13 A. (Mr. Bryner) Sorry. We're putting the  
14 distribution underground?

15 Q. Yeah, you're -- well, you're not -- you're  
16 choosing Route B over Route A because of stakeholder  
17 preferences; is that right?

18 A. (Mr. Bryner) So that's one of the reasons.  
19 There are other reasons. You look at the criteria that  
20 we use to evaluate routes. One of those was trying to  
21 maximize the use of existing infrastructure because folks  
22 are used to seeing that there. And so that -- that  
23 Route B.

24 Q. They're used to seeing it on Adams Street?

25 A. (Mr. Bryner) They're used to seeing it in the

1 alleyway between Adams and Lee, and so it's a more  
2 similar use. It's one side of the property versus the  
3 other.

4 A. (Mr. Robinson) Clark, in addition there's  
5 facilities along Park also; right?

6 A. (Mr. Bryner) Yes, correct.

7 Q. So I'm not sure how easily you can do this, but  
8 can we go to Slide 68? I think it's actually Slide 69  
9 but it's labeled Slide 68.

10 A. (Mr. Bryner) I've got it on my book.

11 Q. Okay. So something you said repeatedly was,  
12 "Our poles will not be inconsistent with historic or  
13 neighborhood preservation zones."

14 Has the City told you that, or is it an  
15 assumption that you're making?

16 A. (Mr. Bryner) That's an assumption we're making  
17 of our reading of those zones.

18 Q. And this is related but slightly different.

19 Is the historic factor and again, you may -- you  
20 can say you don't know the answer to this, that's fine.

21 Is the historic factor in the line siting statutes about  
22 whether a district would lose its historic status or not?

23 A. (Mr. Bryner) I don't know all what's all  
24 intended to be in that.

25 Q. So I want to switch to density and blowout, as

1 you call it.

2 So Clark, I believe you and I have discussed  
3 this in the past, it may have been in one of your public  
4 presentations. Would you say this is the densest area in  
5 your service area population-wise?

6 A. (Mr. Bryner) I don't know that I -- I don't  
7 know that I have the information to say that one way or  
8 the other. I would say it's a dense area.

9 Q. Okay. Would you say -- again, you might not  
10 know the answer to this -- would you say that it is the  
11 one of the or if -- or the most rapidly densifying area  
12 in your service area?

13 A. (Mr. Bryner) I think the only thing I could say  
14 is it's a dense area and yes, it's getting more dense.

15 Q. Okay. So in the Route C simulation, Larry, you  
16 said, "They have to avoid the east Speedway area because  
17 of tall buildings on both sides of the street."

18 So I guess my question for either of you is how  
19 does a transmission line affect high-density infill  
20 development?

21 A. (Mr. Robinson) So I believe what you're quoting  
22 me on is the section along Speedway that didn't have a  
23 route proposed on it and --

24 Q. Right. Right.

25 A. (Mr. Robinson) -- Member Richins had asked why

1 there wasn't a route proposed on that area.

2 Again, according to National Electric Safety  
3 Code requirements, we have to maintain certain  
4 separations between structures, buildings, signs, lights,  
5 traffic signals and things like that; right?

6 So if the area is already occupied by some of  
7 those facilities that we can't maintain separation from,  
8 we do have options; right? We could buy the building and  
9 tear down the building or do something like that.

10 But we try to avoid that in a route selection  
11 for a line when we're just presiting. We wouldn't have  
12 to commit that we would have to buy a structure and do a  
13 demolition on it just to route a line.

14 Q. Okay. Thank you. And very appreciative.  
15 That's an awesome answer.

16 If you have to put a pole on or above private  
17 property -- and you kind of already answered this  
18 question -- but I'd appreciate if you answer it again.  
19 What becomes the setback requirements from your easement  
20 for any vertical development?

21 A. (Mr. Robinson) So those -- so those setback  
22 requirements are defined by the National Electric Safety  
23 Code.

24 So our easements, our property easements would  
25 restrict development in that easement that would be in

1 conflict with the National Electric Safety Code. So we'd  
2 need to get a large enough private easement that would  
3 technically allow the property owner to develop  
4 vertically at the edge of that easement and still not  
5 violate the National Electric Safety Code.

6 Does that answer your question?

7 Q. Sure, I guess. In some ways, does -- is there  
8 just a general 10 feet, 15, 20 feet? What's the  
9 common --

10 A. (Mr. Robinson) That is dependent on the voltage  
11 that is being constructed. It's a function or variable  
12 of the voltage. The lower the voltage, the lower the  
13 National Electric Safety Code clearance required.

14 Q. And what is it for 138?

15 A. (Mr. Robinson) I'd have to review. I don't  
16 know that off the top of my head.

17 Q. Do you have a ballpark? Respecting that you  
18 don't -- we're not holding you to this.

19 A. (Mr. Robinson) Ballpark, it's about 10 feet.

20 CHMN STAFFORD: I guess you'd be able to  
21 check on that and let us know tomorrow, couldn't you,  
22 what the setback is for 138?

23 MR. ROBINSON: I could. I could. Yes,  
24 I'll take that as a takeaway.

25 CHMN STAFFORD: Thank you.

1 BY MR. DEMPSEY:

2 Q. Okay. Thank you. I just have a couple more  
3 generic questions here.

4 Actually, you know what, I'll stop there. Thank  
5 you.

6 A. (Mr. Robinson) I have an answer to that.

7 CHMN STAFFORD: That was fast.

8 MR. ROBINSON: We have our engineering  
9 consultant who happens to do a lot of engineering.

10 So 138 voltage, no wind, without any  
11 displacement the NESC code clearance is 9.9 feet. Right?  
12 9.6.

13 With wind blown out and the blown out  
14 condition, the NESC code clearance is 6.6. Right.  
15 Mr. Dempsey, we do add a few feet addition to the NESC  
16 safety code to account for changes in field conditions  
17 that might occur and still be able to maintain our code  
18 clearance requirements.

19 BY MR. DEMPSEY:

20 Q. And is that -- so, thank you.

21 Is that from the easement? Is that from the  
22 pole? Is it from wire? Where -- what's this -- what are  
23 you measuring from?

24 A. (Mr. Robinson) That clearance requirement is  
25 from the conductor itself. So it would be in the first

1 condition 9.9 feet from where the conductor is plus our  
2 safety buffer. 6.6 feet in a blown-out condition, plus  
3 our safety buffer. It's usually we add a couple feet  
4 safety buffer.

5 Q. So when you say blown-out condition, I believe  
6 Clark, was it yesterday, I can't remember now, you said  
7 that blowouts are 10 feet as well, so is it 10 plus six,  
8 16 feet is what you're saying?

9 A. (Mr. Bryner) I was giving a hypothetical  
10 example. So the blowout is the sag in the conductor.

11 Q. Right.

12 A. (Mr. Robinson) So in Ms. De Blasi's counter she  
13 asked what that distance was and what we were looking for  
14 was 15 to 16 feet on the private easement. That's to  
15 account for that blowout and the NESC code requirements.

16 Q. So 15 to 16 is a fair assumption?

17 A. (Mr. Robinson) That's correct. From property  
18 line, and also from the conductor blown out.

19 MR. DEMPSEY: All right. Thank you. Yeah,  
20 that's it for me.

21 CHMN STAFFORD: That completes your cross?

22 MR. DEMPSEY: Yes.

23 CHMN STAFFORD: All right. Ms. Hill, would  
24 you like to do redirect now or do you want to talk about  
25 the tour?

1 MS. HILL: I have about what I hope is  
2 three minutes of redirect, and then if we could talk  
3 about the tour after that.

4 CHMN STAFFORD: Excellent. That sounds  
5 like a perfect plan.

6 MS. HILL: Okay. Thank you, Mr. Chair.

7

8

REDIRECT EXAMINATION

9 BY MS. HILL:

10 Q. So Mr. Bryner, this is directed at you.

11 So I just want to have you recall the discussion  
12 that you had with Mr. Lusk regarding the special  
13 exception process for paralleling the Gateway Corridor  
14 Zone. Do you recall that conversation?

15 A. (Mr. Bryner) Yes.

16 Q. Okay. And you recall your prior testimony about  
17 that you didn't believe that the Campbell corridor on  
18 Route 1 qualified for one of the special exceptions. Do  
19 you recall that testimony of yours?

20 A. (Mr. Bryner) Yes, I do.

21 Q. Okay. So given your conversation with Mr. Lusk  
22 right now in cross, I would like to have you briefly  
23 explain to the Committee why TEP does not believe that  
24 the parallel Campbell corridor on Routes 1, and is  
25 that 3, I'm sorry, that parallels the gateway on Routes 1



1 and 3 qualify for the special exception process -- for a  
2 special exception under the process. Pardon me.

3 A. (Mr. Bryner) Sure. In this same, I guess my  
4 response would also hold true for routes D and Route 6  
5 that we also believe would not qualify for a special  
6 exception under that process.

7 So there's various criteria that are laid out in  
8 the special exception in the UDC. In some circumstances  
9 you need to meet one of those criteria in order to  
10 qualify for a special exception. In other cases you need  
11 to meet more than one of those criteria.

12 In the case of a parallel or being located  
13 parallel to the Gateway Corridor, in most cases you have  
14 to meet more than one of those criteria.

15 The -- and I'm going to go off of memory so I  
16 hope I get this right -- the exception to that would be  
17 when you're crossing over railroads or bridge  
18 infrastructure such as is the case where Kino Parkway  
19 crosses over the Aviation Highway and the railroad. In  
20 those cases there were exceptions where, hey, because of  
21 that you can be parallel and that meets the requirement  
22 for the special exception.

23 North of Broadway, between Broadway and Grant  
24 Road that would apply to routes 1, 6, and D, it becomes a  
25 little more stringent where we'd have to meet multiple of

1 those criteria. So one of those mentioned that I felt  
2 like help us on Broadway Boulevard to get this was  
3 existing infrastructure.

4 If there's existing infrastructure and I believe  
5 that it's if you don't increase the height by -- the  
6 height and width by more than 10 percent, then you meet  
7 one of the criteria.

8 So on Broadway Boulevard we have some fairly  
9 large distribution lines, but fairly large distribution  
10 lines we feel like we could -- we could put our  
11 transmission infrastructure there and keep it within  
12 those thresholds.

13 The other thing going for us on Broadway  
14 Boulevard that does not hold true on Campbell Avenue are  
15 the existing land uses. So that's another one of the  
16 criteria is if it has -- I don't think it uses  
17 compatible, but similar land uses, more  
18 commercial/industrial land uses, then that's another one  
19 of the criteria where you can qualify for a special  
20 exception. It does not include residential land uses.

21 So as we've talked about for a large portion of  
22 this stretch along Campbell Avenue, we do have  
23 residential land uses on at least one side of the road  
24 and in some cases on both sides of the road. And so,  
25 again, through a plain reading by us of those special

1 exceptions, we didn't see the -- we didn't meet the  
2 criterion threshold to -- even to where we'd even feel  
3 comfortable in applying for a special exception because  
4 we feel like we don't meet these.

5 Q. Thank you.

6 MS. HILL: I have no further questions.

7 CHMN STAFFORD: All right. Ms. Hill, let's  
8 talk about TEP-13.

9 MR. LUSK: Mr. Chair, I apologize.  
10 Ms. Hill, please correct me if I am overstepping, but if  
11 I could have a clarifying question just as to what  
12 Mr. Bryner just testified to.

13 CHMN STAFFORD: Certainly. Please proceed.

14 MR. LUSK: Thank you.

15

16 RE CROSS-EXAMINATION

17 BY MR. LUSK:

18 Q. Mr. Bryner, when you suggest that the special  
19 exception would not be available on Campbell, I notice  
20 there are several routes on Campbell and not all of them  
21 go all the way up and down. Is that for the full route  
22 of Campbell that you don't believe you qualify, or is  
23 that just for some -- some area of that?

24 A. (Mr. Bryner) Basically I'll say the majority of  
25 the stretch between Broadway Boulevard and Grant Road

1 applicable to routes 1 and Route 6 and Route D. So we do  
2 have Route 1 is located on Campbell Avenue outside of the  
3 gateway south of there, so that it doesn't apply, but it  
4 would just be between Broadway and Grant.

5 Q. Right. I'm just trying to get a sense of -- so  
6 you -- what you just testified to would be applicable to  
7 routes 6 and D, those small portions up there; correct?

8 A. (Mr. Bryner) Correct.

9 Q. And then Route 2 actually is on parallel both on  
10 Broadway and on Campbell?

11 A. (Mr. Bryner) So Route 2 has a perpendicular  
12 crossing of Campbell. It does not parallel Campbell.

13 Q. I'm sorry. Thank you. But you believe that you  
14 could get involved the special exception process on 2?

15 A. (Mr. Bryner) For the perpendicular crossing of  
16 Campbell, yes, we believe so.

17 Q. Okay. So then the 1, 6 and D you believe that  
18 you would not be able to get a special exception process  
19 or would not be able to get a special exception for any  
20 of those routes? Any portion of those routes?

21 A. (Mr. Bryner) That would be, yes, our belief.

22 MR. LUSK: Okay. Thank you.

23 MEMBER HILL: Mr. Chair.

24 CHMN STAFFORD: Yes, Member Hill.

25 MEMBER HILL: I know we want to talk

1 about -- we're very excited about the field trip  
2 tomorrow, so I know we want to talk about that. We're  
3 already thinking about barbecue for tomorrow.

4 But prior to cross, Ms. Hill suggested that  
5 she had five minutes of summary to compare the different  
6 alternatives. I'm just wondering if my colleagues are  
7 interested in that five minutes of comparison or --  
8 because I am.

9 CHMN STAFFORD: I assume you're speaking  
10 about slides 200 and 201?

11 MS. HILL: Yes. Yes, Mr. Chair.

12 MEMBER LITTLE: I vote in favor.

13 CHMN STAFFORD: Please, give us your five  
14 minutes summary.

15 MEMBER HILL: Thank you for indulging.

16 MS. HILL: Well, I know better than to  
17 summarize them myself, and so I'm going to ask Mr. Bryner  
18 to engage in that brief summary. And then we can always  
19 review this again, too, on Friday or next week if the  
20 Committee would like or, you know, if you would like to  
21 in the future, because I know this is a lot.

22 CHMN STAFFORD: Frankly, I think we'll  
23 probably go over those couple slides several times before  
24 this whole process is over. I think at some point once  
25 the case -- the applicant's presented its case, the

1 Intervenor has presented their case, the Committee's  
2 going to have to have the discussion about to narrow the  
3 segments that are up for consideration, like eliminate  
4 some right out of the gate, and I think that whole  
5 conversation's going to start with that summary.

6 MS. HILL: Understood. Thank you. And if  
7 there are specific talking points that the Committee  
8 would like as we go along for us to prepare to review  
9 later, we're happy to do that.

10 CHMN STAFFORD: I'm going to have a list of  
11 stuff here before it comes time for the Committee to  
12 deliberate.

13 MS. HILL: All right. We'll take notes.

14 MR. BRYNER: Grace, could you bring up --  
15 perfect. Thank you. And I apologize in advance if this  
16 brings up any terrible nightmares for any of you of the  
17 hours we've spent here recently.

18 Okay. So looking at Slide 200 over on the  
19 left screen, these are our routes between DeMoss Petrie  
20 and Vine, so those four alternative routes.

21 So the least expensive route amongst those  
22 is Route A, which just to remind you is the route that  
23 goes down Grant and Vine. The most expensive route is  
24 Route C, which is the one that goes down Stone and  
25 Speedway. While the preferred route is our second most

1 expensive route.

2 MEMBER HILL: Mr. Chair.

3 CHMN STAFFORD: Yes, Member Hill.

4 MEMBER HILL: Can you talk a little bit  
5 about these estimated costs and the range of variability  
6 in them, because you don't -- you don't have full design  
7 and so what's the range of error or variability? Can you  
8 talk a little bit about that?

9 MR. BRYNER: So the range of error, I'm not  
10 sure that I could -- I'll -- if it's okay I'll share our  
11 methodology for developing these costs.

12 MEMBER HILL: Okay.

13 MR. BRYNER: So we looked at -- let me just  
14 go through them. I'm not going to try to quantify this.  
15 So we looked at right-of-way expenses, and so that was  
16 based on an assumption of trying to be located within  
17 road right-of-way to the extent we could and where we  
18 felt like we would be located in -- we would need some  
19 private easement.

20 We calculated that based off of a  
21 reasonable assumption which Mr. Robinson shared with you,  
22 and so -- and that was based off calculating the square  
23 footage of that area and the fair market value for that.  
24 And so in sum total for each of these routes, we came up  
25 with that.

1           And then we had estimates for engineering  
2 of the transmission line, the cost of purchasing the  
3 materials for the transmission line, and the costs of  
4 constructing the transmission line, and Mr. Robinson may  
5 know more details on that if he wants to share those.

6           MR. ROBINSON: Those were -- those costs  
7 are all based on some of the more recent projects that  
8 we've completed, including the Irvington to East Loop 138  
9 line that was just put in service four months ago.

10          MR. BRYNER: And then the third thing that  
11 went into those cost estimates was an estimate for  
12 undergrounding any of that existing over -- that existing  
13 distribution infrastructure, and for that similarly we  
14 looked at some recent projects to underground.

15          There are different levels of distribution.  
16 You have feeder class, which has a higher rating. You  
17 have primary, secondary. And so based on whatever was  
18 going on there, we looked at recent projects and the  
19 associated costs, multiplied that out, so --

20          MEMBER HILL: That's the methodology.

21          MR. BRYNER: That was the methodology. So  
22 I think they're pretty good. But certainly there's  
23 variables that could raise that up or down.

24          MEMBER HILL: Okay. Thank you.

25          MR. BRYNER: Okay. Let's see. We just



1 talked about -- what did I talk about, the cost?

2 MR. ROBINSON: The cost.

3 MEMBER GOLD: Mr. Chairman.

4 CHMN STAFFORD: Yes, Member Gold.

5 MEMBER GOLD: I have a question for

6 Mr. Bryner. It's a beautiful chart.

7 MR. BRYNER: Thank you.

8 MEMBER GOLD: Are we talking percentages?

9 Numbers? It says residential, .5, 1, .7, .2. 2 what?

10 MR. BRYNER: So in the bottom of the chart

11 it has a little reference to an asterisk there.

12 MEMBER GOLD: Yeah, linear length --

13 MR. BRYNER: Linear length.

14 MEMBER GOLD: Linear length represented in

15 miles.

16 MR. BRYNER: And so that's -- that's what

17 we're talking about is 3.2 miles, .5 miles, .5 miles.

18 MEMBER GOLD: So what does residential

19 .5 miles mean?

20 MR. BRYNER: So the route would cross

21 through residential land use areas for .5 miles.

22 CHMN STAFFORD: Of the 2.9 total route

23 length?

24 MR. BRYNER: Correct. Or I think that was

25 3.2 route length. So it's -- we could calculate a

1 percentage but it's not the reason.

2 CHMN STAFFORD: Route 1, that's my problem.

3 MR. BRYNER: Oh, yeah, you're on Slide 201.

4 And so the only one that we represented with a percentage  
5 there was the percentage of overhead utilities where  
6 we're in that --

7 MEMBER GOLD: Okay.

8 MR. BRYNER: -- because the other ones,  
9 while you could go through one mile of residential that  
10 could equate to potential 25 percent of the route for a  
11 four-mile-long route, if you had a route that was eight  
12 miles long and it went through two miles, it would also  
13 look like 25 percent, but you're actually impacting twice  
14 as much residential. So showing it by percentage, that  
15 seemed --

16 MEMBER GOLD: So it's in miles.

17 MR. BRYNER: Poor comparison. It's in  
18 miles.

19 MEMBER GOLD: So if your route length is  
20 3.2 miles, .5 of that is residential.

21 MR. BRYNER: That is correct.

22 MEMBER GOLD: Underneath it one mile is  
23 residential. And in historic districts .5 or .3 miles.  
24 And overhead distribution to be undergrounded, 1.7 miles.

25 MR. BRYNER: You're reading it correctly.

1 MEMBER GOLD: Okay. Thank you.

2 CHMN STAFFORD: Quick question. So the  
3 overhead distribution to be undergrounded, that is the  
4 14 -- that's the 4kV system being replaced with a 14?

5 MR. BRYNER: No. So we don't quantify how  
6 much of our 4kV system will be converted over to the 14kV  
7 system, so that will be -- it is part of the broad  
8 Midtown Reliability Project, but that is not included in  
9 these costs. That will be a substantial effort that,  
10 again, is going to take place over the next -- well, once  
11 we get this in service, ten years from that in order to  
12 get all that work done.

13 CHMN STAFFORD: Then what's the overhead  
14 distribution to be undergrounded?

15 MR. BRYNER: That's essentially taking the  
16 existing or whatever is in place right now, and it's --  
17 I'll just say in the way of where we'd put the new  
18 transmission infrastructure, that we would put  
19 underground and either get it out of the way, making  
20 space for the new transmission line or we don't like to  
21 corridor in the streets, so that we don't have line on  
22 either side of the road.

23 CHMN STAFFORD: So the existing  
24 distribution, that's the .4k, the 4k system that  
25 you're -- it's on a pole now that you can put underground

1 when you put the 138kV poles in.

2 MR. BRYNER: It could be 4kV, it could be  
3 14kV, it depends on the area. But yes, it's the  
4 distribution -- the lower voltage distribution system  
5 what the voltage is.

6 CHMN STAFFORD: Okay. And that's kind of a  
7 hodgepodge throughout the system, there's different ones  
8 here, different ones there. Hodgepodge is probably a  
9 pejorative term. I'm sure there's a rhyme to your  
10 reason, but I'm just -- from our perspective we don't  
11 know what that is, so when some parts of the route will  
12 have this type of distribution, other parts a different  
13 type.

14 MR. BRYNER: The majority of this would be  
15 4kV, but as we're doing that we would make sure we're  
16 putting in whatever we need so that we can make a simple  
17 voltage conversion at the time that it's ready to go to  
18 14kV so that, you know, either we'll use a dual-voltage  
19 transformer or something so that we -- it's an easy  
20 switch.

21 CHMN STAFFORD: Okay. All right. Thank  
22 you.

23 MEMBER GOLD: Mr. Chairman.

24 CHMN STAFFORD: Yes, Member Kryder.

25 MEMBER KRYDER: In the interest of time and

1 the fact that you established a few minutes ago that  
2 we'll be memorizing this, could we start off maybe  
3 tomorrow and have Clark or someone go through this chart  
4 and kind of walk us through the way a doctoral  
5 dissertation candidate would walk his committee through  
6 it? I, for one, appreciate what you just said, but it's  
7 kind of bits and pieces here and there. And I'd hate  
8 to -- I'd like to have it tonight, but I really don't  
9 want it now.

10 CHMN STAFFORD: I appreciate that, Member  
11 Kryder.

12 MR. BRYNER: I'm happy to do it whenever  
13 you want it.

14 MEMBER KRYDER: Thank you very much, Clark.  
15 You're a gentleman and a scholar.

16 CHMN STAFFORD: Ms. Hill, would you be  
17 interested in talking about TEP-13 now?

18 MS. HILL: I would, Mr. Chair.

19 CHMN STAFFORD: Thank you.

20 MS. HILL: And we will make a note that we  
21 can start off with this on Friday morning if the  
22 Committee wants.

23 CHMN STAFFORD: Yes, thank you. Hopefully  
24 we'll be refreshed Friday morning after the exciting tour  
25 we have planned for tomorrow.

1 MS. HILL: Okay. So a very, very brief  
2 description of what TEP-13 is. This is something that  
3 maybe some -- oh, sorry. A very brief description of  
4 what TEP-13 is. This is something that is not usual  
5 for -- customary for us.

6 So on the actual tour of the routes we  
7 realized that it would be very beneficial if the  
8 Committee heard some of the testimony regarding the  
9 routes as the bus is actually driving rather than trying  
10 to recreate everything at the next stop.

11 So for that reason we developed a script  
12 that will be read verbatim by Mr. Clark on one bus and  
13 Mr. Lindsey on another bus while the bus is driving. I'm  
14 sorry. We still have to stop in the heat, though, but I  
15 understand there'll be popsicles at least once.

16 And because the court reporter won't be  
17 available, of course, to capture the discussion while on  
18 the bus or while the bus is moving, that script has been  
19 made an exhibit, which is TEP-13.

20 We will be following that exhibit to the  
21 letter including where on the route the language will be  
22 read. And so therefore we ask you to please save any  
23 questions or comments about what you hear while you are  
24 on the bus for the stop when the court reporter can take  
25 down your questions and record the answers.

1 And then the requisite protocol for the  
2 tour that's required is also set forth in TEP-13.

3 So with that I'm going to ask Mr. Bryner as  
4 a foundational question. Poor guy, he's tired.

5 BY MS. HILL:

6 Q. So Mr. Bryner, was TEP [sic] prepared by you or  
7 under your direction and control?

8 A. (Mr. Bryner) Yes.

9 Q. And are the contents true and correct to the  
10 best of your knowledge?

11 A. (Mr. Bryner) Yes.

12 MS. HILL: Okay. Thank you. And I  
13 understand, Mr. Chair, you will admit at the end?

14 CHMN STAFFORD: Yes.

15 MS. HILL: Okay.

16 CHMN STAFFORD: So tomorrow we'll meet in  
17 the lobby at approximately nine o'clock. The buses will  
18 be out front. Correct?

19 MS. HILL: Mr. Bryner, the buses will be in  
20 the front; is that correct?

21 MR. BRYNER: That's what I was trying to  
22 confirm if they're going to come back here or to the  
23 front. We can have them go to the front if that's where  
24 we'd like to meet. I do know we have a few things that  
25 we'd like to I guess distribute to help with some of the

1 heat tomorrow, so whether it's here or there, I want to  
2 have a few minutes to do that.

3 CHMN STAFFORD: Okay. Because how we  
4 typically do this, we'll go on the record, establish that  
5 we're going on the tour. And then we'll have the  
6 exhibit, I recommend all the members to bring a copy of  
7 TEP-13 with them, and then that's the script -- I can't  
8 hear you.

9 MEMBER KRYDER: Are we going to be given  
10 one?

11 CHMN STAFFORD: I think --

12 MEMBER KRYDER: A copy of that script.

13 MEMBER LITTLE: We have one.

14 CHMN STAFFORD: We have one. Do you mean  
15 you don't have a paper copy? Is that what you'd like?

16 MEMBER KRYDER: I didn't get to read last  
17 night.

18 MR. ANCHARSKI: So Chairman, Member Kryder,  
19 we do have extra copies of that I'll bring to the  
20 morning -- everyone should have a copy virtually and also  
21 in paper form, but I will have copies. Yep.

22 CHMN STAFFORD: All right. So we don't  
23 have any ex parte communications or open meeting  
24 violations, so the point -- so we don't have, we don't  
25 deliberate on the merits of the case or talk about the



1 merits of the case on the bus off the record. We don't  
2 have conversations about the merits with the parties off  
3 the record outside the presence of the court reporter.

4           So that's the purpose of the script. So,  
5 because the way this is set up, the drive to the first  
6 stop, get out and say what's going on, and then drive to  
7 the second stop without saying what's happening would be  
8 kind of having to wait to ask the questions about it,  
9 what did I see five minutes ago, ten minutes ago, would  
10 be difficult for the members to handle.

11           So this way we have, there's the map that  
12 shows where we're going, what the stop is, and a script  
13 about narration of where it's going to be. So it's  
14 already in the record.

15           And then so you can't have any follow-up  
16 questions, they're just going to give the spiel that's  
17 here, and then I would advise you to bring the paper copy  
18 and take notes as you go if you have questions.

19           So that way when we get to the stop you can  
20 go back and see, ask your specific questions on the  
21 record to the witnesses that have been sworn, and in the  
22 presence of all the other parties that will be -- I  
23 assume will be taking the tour.

24           Mr. Lusk, Mr. Dempsey, and Ms. De Blasi are  
25 you planning on attending the tour, or not?

1 MS. DE BLASI: I am, Chairman.

2 MR. DEMPSEY: Yes, I am.

3 CHMN STAFFORD: Mr. Lusk?

4 MR. LUSK: Yes, Your Honor -- or Chairman.

5 CHMN STAFFORD: Are we going to have -- how  
6 many buses are there? Is there one, two buses?

7 MR. BRYNER: We have two buses.

8 CHMN STAFFORD: Okay. And you'll be able  
9 the fit everybody on there?

10 MR. BRYNER: So they'll each accommodate  
11 27, so I think we were thinking we'd probably put the  
12 Committee on one, other parties on another.

13 CHMN STAFFORD: Okay. And that way -- and  
14 then I guess the members of the public are -- they can --  
15 they're free to follow the tour. Are there any -- I  
16 guess the thing is I would ask the applicant to speak to  
17 the members of the public that are currently in the room  
18 and find if they're interested in the tour.

19 If they are, please provide them with a  
20 copy of TEP-13 so they have the itinerary and they know  
21 what's going on that they can't see. So, and then, while  
22 they're not parties they don't have the opportunity to  
23 ask questions or engage with the Committee at the stops,  
24 they're certainly free to observe and then potentially  
25 the Committee members could ask questions that they might

1 be interested in hearing the answers to.

2 So does anyone have any questions about how  
3 this tour is going to unfold? This is a kind of new  
4 thing with the script for it, but I think that's going to  
5 be very helpful for the Committee. Mr. Bryner.

6 MR. BRYNER: I don't have anything about  
7 the process for that, but I do have some clarification on  
8 where to meet.

9 CHMN STAFFORD: Okay. Thank you.

10 MR. BRYNER: Can I share that now?

11 CHMN STAFFORD: Yes, please.

12 MR. BRYNER: Okay. So we'll have the buses  
13 come to the back lot here because we will have breakfast  
14 in the morning for the Committee in this room. And I  
15 think this will be a better place for us to have those  
16 initial conversations as opposed to the lobby. And then  
17 it will be easy for us to just step out the back door  
18 here and get on the bus if that's okay.

19 CHMN STAFFORD: Okay. Then we'll meet --  
20 we'll come back -- we'll meet -- we'll convene nine  
21 a.m.-ish in this room, go on the record, establish that's  
22 happening, and then head to the vehicles and begin the  
23 tour.

24 MR. BRYNER: Sounds good.

25 MS. HILL: If we could also just clarify,

1 if we are going to take a detour to see the potential  
2 mitigation measures on the routes for traffic, you know,  
3 pushing it out a little bit, and for the life of me the  
4 word has escaped my brain at this point.

5 Chicanes. Thank you, Mr. Lusk. And I  
6 still have not decided how I was going to spell that  
7 word. So if you do want to do that, we can -- we will  
8 have a brief amendment to the tour that -- but it's not  
9 going to make the docket in time tomorrow.

10 So any members of the public that are  
11 following tomorrow, we will have to give them an update  
12 to that before, and I think the best place for us to add  
13 it is at the very end after we do the last stop and just  
14 find the one closest on our way back to the hotel. And  
15 so if that's what the Committee wants, we can -- that's  
16 how we'll handle it.

17 CHMN STAFFORD: How interested are we in  
18 seeing a chicane? Members?

19 MR. BRYNER: Alternatively, Chairman  
20 Stafford, we could go take a bunch of photos and share  
21 those.

22 CHMN STAFFORD: I -- well, I think I've  
23 seen enough chicane to satisfy my need to see chicane.  
24 But I don't think that will be necessary to add an  
25 additional stop to this, but I appreciate your

1 willingness to accommodate the Committee, but frankly I  
2 don't think it's necessary to go through all that just to  
3 look at a chicane.

4 MR. LUSK: And if I may, Chairman, I did  
5 present Ms. Hill and Elias with a possible exhibit that  
6 would give you a good sense of what they look like here  
7 in the City of Tucson.

8 CHMN STAFFORD: That would be preferable I  
9 think to try to monkey with the tour that they've had to  
10 work so diligently to put together with the script and  
11 stops and all that stuff to help the Committee understand  
12 everything.

13 So I think, yeah, I think we can live  
14 without having an additional stop for the chicane. So  
15 that's one less problem for you to deal with.

16 MS. HILL: Thank you. We appreciate that.

17 MR. ANCHARSKI: Chairman, just -- oh,  
18 Chairman, Mr. Ancharski, real quick. Just the tour is on  
19 the project website, those will be available more readily  
20 for the public but I certainly can provide copies as  
21 needed as you mentioned.

22 CHMN STAFFORD: I would recommend that  
23 someone from the applicant speak with the members of the  
24 public in the room and find out what their -- if they're  
25 even interested in it. Since they're here and hearing us

1 talk about it, they're aware of its existence, and  
2 whether they choose to participate or not is up to them.

3 But if they -- if they can get a paper copy  
4 if that's what they want, that would be great. It would  
5 be helpful, some may not need it, they can just pull it  
6 up on their tablet or whatever.

7 MS. HILL: Given that we're here late, I'm  
8 going to share that two of the members of the public are  
9 my husband and my mother, and they've already driven  
10 these routes with me about 50 times. So I think they  
11 will decline.

12 CHMN STAFFORD: All right. Anything else  
13 before we recess for the evening and come back tomorrow  
14 at nine a.m. here?

15 MR. DEMPSEY: Can we wear shorts?

16 CHMN STAFFORD: You can wear whatever you  
17 like, it's extra business, it's casual, not business  
18 casual, it's just casual tomorrow because of the heat,  
19 so --

20 MEMBER MERCER: And no flip-flops; right?

21 CHMN STAFFORD: I'm not going to sweat  
22 flip-flops. I'm not going to wear flip-flops, but if  
23 someone else can pull it off, then I'm not going to shame  
24 them for it.

25 Anything else, Members?

1 (No response.)

2 CHMN STAFFORD: Hearing nothing, we're in  
3 recess.

4 (Proceedings recessed at 5:27 p.m.)

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