BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

LS-538

IN THE MATTER OF THE APPLICATION OF TUCSON ELECTRIC POWER COMPANY IN CONFORMANCE WITH THE REQUIREMENTS OF A.R.S. § 40-360, ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE 138 KILOVOLT (KV)SOUTHWEST TUCSON RELIABILITY PROJECT, WHICH INCLUDES THE CONSTRUCTION OF A NEW 138 KV TRANSMISSION LINE WITHIN THE CITY OF TUCSON AND UNINCORPORATED PIMA COUNTY, ARIZONA.	DOCKET NO. L-00000C-26-0407-00269 LS CASE NO. 269 EVIDENTIARY HEARING

At: Tucson, Arizona

Date: November 4, 2026

Filed: November 10, 2026

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME I
(Pages 1 through 122)

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BE IT REMEMBERED that the above-entitled and numbered matter came on regularly to be heard before the Arizona Power Plant and Transmission Line Siting Committee at Arizona Corporation Commission (Tucson), 400 West Congress, Tucson, Arizona, commencing at 1:39 p.m. on November 4, 2026.

BEFORE: ADAM STAFFORD, Chairman

LEONARD DRAGO, Department of Environmental Quality
NICOLE HILL, Governor's Office of Energy Policy
(via videoconference)
SAL DICICCIO, Incorporated Cities and Towns
(via videoconference)
ROMAN FONTES, Counties
(via videoconference)
MARGARET "TOBY" LITTLE, PE, General Public
(via videoconference)
DOUGLAS FANT, General Public
GABRIELA SAUCEDO MERCER, General Public

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APPEARANCES (continued):

For City of Tucson:

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CHMN STAFFORD: Let's go on the record.

Now is the time set for the hearing in the application of Tucson Electric Power Docket No. L-00000C-26-0407-00269, for line siting case 269.

Let's take roll call of the members.

Member Fant.

MEMBER FANT: Here.

CHMN STAFFORD: Member Drago.

MEMBER DRAGO: Here.

CHMN STAFFORD: Member Mercer.

MEMBER MERCER: Here.

CHMN STAFFORD: And online we have Member Hill.

MEMBER HILL: Here.

CHMN STAFFORD: Member Little.

MEMBER LITTLE: Here.

CHMN STAFFORD: And Member DiCiccio.

MEMBER DICICCIO: Here.

CHMN STAFFORD: All right. I'd admonish the public that the ex parte rule is in effect. Let's take, start with appearances, starting with the applicant. Ms. Grabel.

MS. GRABEL: Thank you, Mr. Chairman. Meghan Grabel from the law firm of Osborn Maledon, on behalf of the applicant, Tucson Electric Power Company.

With me at counsel table from in-house at TEP is Ms. Sam Egan. With me from my law firm in the chairs over there is Mr. Elias Ancharski and behind him is in-house counsel, Megan Hill.

CHMN STAFFORD: All right. And for the City of Tucson.

MR. BORMAN: For the City of Tucson, my name is Bradford Borman.

CHMN STAFFORD: All right. There have been no other requests for intervention?

MS. GRABEL: There have not been. I would like to ask, Mr. Chairman, there is one member of the public who is unable to attend this evening who wants to make public comment. And so I wondered if you would allow him to do so at some point early in the proceedings today.

CHMN STAFFORD: Okay. Well, let's start with your opening argument and then we'll hear from the city, and then we can take a public comment before you begin your presentation.

MS. GRABEL: Sounds good.

Clark, are you pulling up my -- you got it.

All right. Thank you. Chairman, committee members, again, I'm Meghan Grabel with Osborn Maledon on behalf of Tucson Electric Power Company.

In this matter, Tucson Electric Power Company seeks a certificate of environmental compatibility, or a CEC, to authorize the construction of the Southwest Tucson Reliability Project in the City of Tucson in unincorporated Pima County, Arizona. We will generally refer to this project as the Southwest Tucson Reliability Project or more likely just "the project."

Like all of TEP's recent CEC applications, this project is needed to increase the reliability of Tucson's growing electric system. But what's exciting to us about this project in particular is that it does so almost entirely leveraging existing infrastructure.

By way of a brief summary, TEP proposes to construct an approximately 17-mile-long looped transmission system consisting of two 138kV circuits.

Phase 1 of the project will connect TEP's existing Midvale Substation in the city of Tucson to TEP's planned Tucson Estates Substation in unincorporated Pima County.

Phase 2 of the project will connect TEP's planned Tucson Estates Substation in unincorporated Pima County to a tie-in point on TEP's existing Midvale South 138kV transmission line. We refer to this as the circuit tie within the City of Tucson.

And while not jurisdictional and thus not a

part of the CEC application, TEP plans to construct the Tucson Estates Substation in conjunction with this project. That substation will increase capacity to serve customers' growing energy needs west of Tucson while allowing for the retirement of two aging 46kV substations and 46kV lines that support those substations.

This map, which has been marked as TEP Exhibit 2, is an overview of the project location. It's also on your placemats, which we'll go over shortly.

The map identifies the two phases of the project. Phase 1 shown in orange and Phase 2 shown in blue.

These are not alternatives. TEP is requesting authorizations to build both phases of this project on different timelines. Notably, 83 percent of the project collocates on existing infrastructure, thus minimally impacting the environment relative to the status quo.

No other alternative makes sense on this unique set of facts, so no alternative was proposed.

Phase 1 is approximately 7.7 miles long and will connect TEP's existing Midvale Substation in the City of Tucson, which is shown as a triangle on the eastern side of this map, to TEP's planned Tucson Estates Substation in unincorporated Pima County, which is shown

on the triangle on the upper west portion of the map.

Phase 2 of the project is approximately 9.5 miles connecting the planned Tucson Estates Substation in unincorporated Pima County to a tie-in point on TEP's existing Midvale to south 138kv transmission in the city of Tucson.

TEP is requesting a siting corridor up to 300 feet wide for the approved route to allow for siting flexibility.

As I mentioned, approximately 83 percent of the proposed routes use existing facilities or rebuilt similar facilities in place. Only 16.8 percent of the proposed routes include the construction of new infrastructure.

As a result, the proposed routes minimize visual impacts to residential areas and minimize costs by maximizing the use of existing infrastructure while also reducing the construction of new infrastructure in undisturbed portions of the project area.

So this map on the screen which our witnesses will discuss in more detail later, shows the various construction opportunities along each route. So you see the lines in orange which total approximately 2.6 miles or a mere 16.8 percent of the project. That will be new construction. So just the orange is what's

going to have new infrastructure built there.

The pink area to the very left of the map is where TEP will rebuild an existing 46kV circuit as a 138kV circuit.

The green line, which is a short little piece on the bottom right, is where TEP will rebuild an existing 46kV circuit to a double-circuit 46/138kV circuit.

And the yellow and blue lines running at the very bottom of the map along Valencia Road are a double circuit line currently owned by the Bureau of Reclamation. WAPA operated one circuit at 151kV. It is not in operation today. And TEP operates the other circuit at 46kV.

If this project is approved, TEP will buy the entirety of the double circuit line from the Board of Reclamation and energize it at 138kV without the need for any new construction except for one pole to connect the circuits into the existing TEP system at the proposed circuit tie.

And then finally the red line, which runs vertically to the left side of the map, represents the addition of a 138kV to existing 115kV infrastructures.

Leveraging existing infrastructure as this project does, minimizes the project's footprint by making

use of established corridors and previously disturbed land, reducing impacts to the surrounding areas while still delivering the reliability and capacity improvements that this area needs.

TEP serves over 10,000 residential and business customers in the project vicinity. Today these customers are served through a radial line with its source originating at TEP's Irvington substation.

The Irvington substation is approximately five miles from the project area. Given that the area is served by a radial line, the distance to the source substation and the fact that this area is on the outskirts of TEP's system, the area is susceptible to frequent and long duration electrical outages.

The radial nature of the line also hinders TEP's ability to take a line out of service for maintenance or repairs.

In order to improve reliability for our customers, TEP proposes to construct the looped 138kV transmission system together with the planned Tucson Estates Substation, which will increase reliability and enable seamless power delivery, even if one line experiences an issue or is taken out of service for maintenance.

The project will also increase capacity to

service customers in the area, which means the company can meet the growing needs of current customers as well as accommodate future growth.

In sum, the evidence will show that the project will allow TEP to meet its obligation to provide power to its customers, enhance reliability for customers in the area, and have minimal impact on the environment and ecology of the state.

As you know, the City of Tucson has intervened in this proceeding, expressing concern that the project violates local laws applicable to what it terms the Gateway Corridor, and that TEP would seek a funding from this committee allowing it to preempt local law.

To be clear, TEP is requesting no such finding in this case. TEP also believes that the project complies with the UDC. As this slide explains, the purpose of the UDC is to visually Gateway Corridor routes. In this case the portion of the route along Valencia in the city of Tucson.

This slide shows the relevant portions of the Gateway Corridor Overlay Zone requirement, and applies as you can see to new utilities, and includes one sentence specifically exempting new poles.

Specifically it says, "When necessary to

serve new development, a new pole set in line with but not extending an existing overhead system used to serve new development, is not considered a new utility."

So here are the facts. This slide shows the existing circuits along Valencia Road today. Beginning on the left side and on north side of the road, there is an existing double-circuit transmission line which turns to the north on a single-circuit line parallel to the Santa Cruz River.

The second circuit, which is the Midvale South 138kV circuit, turns to the south, crossing Valencia Road on a single-circuit line. On the south side of the Valencia Road, there is an existing double-circuit transmission line consisting of a WAPA 115kV circuit and a TEP 46kV circuit.

Both of these lines run adjacent to Valencia Road, crossing underneath the existing Midvale South 138kv line before crossing the road diagonally to the north side of Valencia Road and continuing to the east.

If this CEC is approved, TEP would add a single new structure on the south side of Valencia Road at the intersection of the two transmission lines, and in line with existing facilities to allow to interconnect to its existing system.

As a result, two overhead crossing in this Gateway Corridor would be removed. Except for the one pole which is not extending the existing overhead system, TEP will not use any new infrastructure in this area. We will use the existing poles, the existing wires, the existing hardware, the existing insulators.

Nothing is going to change except for the addition of one pole and the elimination of two overhead crossings over Valencia Road. We believe this cleans up the visual impact of the current system in line with the purpose of the UDC.

However, after the City's intervention, TEP worked with the City to come to a stipulation regarding the project's compliance with the Gateway Corridor. That signed stipulation is Supplemental Exhibit 24.

Notably, the City and TEP agree, and I'm going to read three of the important portions of the stipulation. That on the facts as I've just discussed and as Mr. Bryner will discuss later, "The existing infrastructure is in compliance with the Gateway Corridor requirements of the UDC. That TEP has not and will not request a finding from the Arizona Corporation Commission that would preempt the application of the UDC, and that TEP will not object to the standard conditions placed on CECs requiring the applicant to 'comply with all existing

ordinances, master plans, and regulations of any governmental entity having jurisdiction' and obtain all approvals and permits necessary to construct, operate, and maintain the project required by any governmental entity having jurisdiction in both cases including the City."

Thus other than the witnesses putting these facts and stipulation on the record and into evidence, there should not be any dispute regarding the UDC that would prolong this hearing.

So now on to the hearing logistics. TEP will present the project through the testimony of three witnesses presented in three panels.

The first is a panel of one. Mr. Clark Bryner, manager of Siting Outreach and Engagement for TEP and UNSE. Mr. Bryner is the lead project manager for the project. He will introduce TEP and the project, describe its general characteristics and the proposed project routes, describe the project's purpose and benefits as well as the need for the project and address the project's notice and public outreach activities. He will also lead the virtual tour.

Mr. Bryner will next on the second panel be joined by Ms. Renee Darling, who is the director of Environmental and Land Use Planning for Sonora Land

Resources.

Panel 2 will discuss environmental resources, including biological and cultural resources, as well as TEP's planned resource protection measures to mitigate the impacts to these resources.

Finally, on the third panel Ms. Deb Vining will appear with Mr. Bryner. Ms. Vining is siting outreach and engagement project manager for TEP, and this panel will discuss community outreach and engagement efforts in the context of the overall planning and siting for the project.

And as a whole, of course, our panel will discuss the project and the context of the factors required for this committee's consideration under Arizona Revised Statute Section 40-360.06.

So for administrative items, each of the committee members present should have binders and iPads with all of the materials that should be used throughout the hearing, and at the front of each binder is a list of the exhibits that we're going to review over the next couple of days, and this also includes the virtual tour.

Based on the evidence we will present, we are confident that you will conclude that the Southwest Tucson Reliability Project will help meet Arizona's need for an adequate economical and reliable supply of power

with minimal impacts to the environment and ecology of the state, and we respectfully ask that you approve the CEC.

Thank you.

CHMN STAFFORD: Thank you, Ms. Grabel. Mr. Borman.

MR. BORMAN: Thank you. I'll be very brief.

Ms. Grabel did accurately describe the fact that we have entered into a stipulation with Tucson Electric Power Company regarding the Southwest Tucson Reliability Project. As such we will not be objecting to the issuance of a CEC or requiring any particular conditions on it.

I may have a handful of questions for witnesses largely for my clarification and understanding but beyond that, that would be the total of our participation at this point.

CHMN STAFFORD: Thank you. Ms. Grabel, you mentioned that there is a member of the public who wished to make comment at this time because they're unable to attend at 5:30.

MS. GRABEL: Correct.

CHMN STAFFORD: And that is?

MS. GRABEL: Sir, would you like to come

up?

CHMN STAFFORD: Please state your name and spell your last name for the court reporter.

MR. HROMIDKO: My name is Michael Hromidko, last name is H-r-o-m-i-d-k-o. I live at 6130 West Drexel, which on the west side of this project is by the Tucson Estates substructure, so I'm right in the middle of this whole loop that they're doing on that end.

So concerns that I have is reception, you know, cell phone reception the way the day and age is, making sure that doesn't affect anything, and as far as I know there's no health issues. I mean, I own about 25 acres. One part of our acreage is about 600 foot from where our dwelling is, about 1200 foot away from it. So those are just my small concerns with it.

CHMN STAFFORD: Thank you.

All right. Ms. Grabel, would you like to call your first panel?

MS. GRABEL: I would. Thank you, Mr. Chairman. I call Mr. Clark Bryner.

(Clark Bryner was duly sworn by the Chairman.)

CHMN STAFFORD: Thank you.

Ms. Grabel, before you get started, there's a placemat here in front of the members, on the front

side there's a map. This is not a separate exhibit, this appears elsewhere.

MS. GRABEL: That is correct, yes. This map is Exhibit 2. The map on the placemat is TEP Exhibit 2. And on the back are several of the simulated conditions that also appear both in the PowerPoint presentation Mr. Bryner will walk through as well as in the CEC application.

CHMN STAFFORD: Okay.

MS. GRABEL: We also put a second piece of paper in front of you, which is again the map, but this time the legend shows the various construction arrangements that are happening around the project, and Mr. Bryner will walk you through this in more detail, but we thought it might be helpful as you think through the various portions of the project to understand what's new, what's rebuild, what's being, you know, what's using existing infrastructure, et cetera.

CHMN STAFFORD: Okay. So that map, the construction map, that's a slide from your Exhibit 6, the witness presentation?

MS. GRABEL: That's correct.

CHMN STAFFORD: Okay. Thank you. Please proceed.

MS. GRABEL: Thank you.

CLARK BRYNER,

called as a witness on behalf of Applicant, having been previously affirmed or sworn by the Chairman to speak the truth and nothing but the truth, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. GRABEL:

Q. Mr. Bryner, please state your name and business address for the record.

A. My name is Clark Bryner. My business address is 88 East Broadway, Tucson, Arizona.

Q. By whom are you employed and in what capacity?

A. I'm employed by Tucson Electric Power as the manager of Siting Outreach and Engagement.

Q. What is your role in this matter?

A. For the Southwest Tucson Reliability Project, I've acted as the lead project manager responsible for overseeing the siting activities, the public outreach and engagement activities, as well as preparing the CEC application and the exhibits.

Q. And do you have a book of exhibits before you?

A. I do.

Q. Will you please look at Exhibit TEP-1, which is the CEC application that was submitted in this docket.

A. Got it.
Q. Have you seen this document before?
A. Yes.
Q. Was it prepared by you or under your direction and control?
A. Yes, it was.
Q. Are the statements contained within TEP-1 true and correct to the best of your knowledge?
A. Yes.
Q. Do you have any corrections you would like to make to the CEC application?
A. A couple of tiny ones.
Q. And are those contained in the Exhibit TEP-20?
A. Yes, they are.
Q. And what is Exhibit TEP-20?
A. It's just a notice of a couple of corrections.
Q. Thank you. And can you please describe the corrections that TEP made to the application?
A. Sure. So on page 29 that was a figure. It had routes on it by construction type, kind of similar to the paper map that's in front of you. But we have percentages on there. Those percentages were calculated incorrectly in the application, and so we updated those -- well, we updated those.
Oh, and sorry, and then the other changes were

we made a reference to a South Valencia Road, which there isn't a South Valencia Road. It's West Valencia Road. So on three different pages in the application it says "south." Just needs to be replaced with "west."

Q. Thank you very much. And if you please turn to Exhibit TEP 2. This is the map of the proposed project.

A. Okay.

Q. Was TEP 2 prepared by you or under your direction and control?

A. Yes.

Q. Is this the same map that is on the placemat in front of the committee members?

A. It's substantially similar.

Q. What's different?

A. So there's just a couple of small differences. On the placemat we did highlight what we're calling our area of analysis. It's an area a half a mile either side of the proposed route. Just, that's sort of the area we focused on to discuss any impacts and as far as existing land uses and different things like that. So that's highlighted on the placemat, not on Exhibit 2.

And then also we have a few key observation point locations on the placemat map that are highlighted with black circles and a number. And that just corresponds with the key observation points on the

backside of the placemat.

Q. Are the modifications to the map on the placemat contained elsewhere in the CEC application or the PowerPoint presentation?

A. Yes, they are.

Q. Thank you. And we've already discussed the second map that the committee members have in front of you, so we won't go there.

If you please turn to Exhibit TEP-3 which is the testimony summary of Clark Bryner.

A. Okay.

Q. Was TEP-3 prepared by you or under your direction and control?

A. Yes, it was.

Q. Are the contents true and correct to the best of your knowledge?

A. Yes. They are.

Q. Do you have any changes you would like to make to TEP-3?

A. Not at this time.

Q. Okay. And if you would please turn now to Exhibit TEP-6, which is the PowerPoint presentation that we prepared for this hearing.

A. Okay.

Q. Was TEP-6 prepared by you or under your

direction and control?

A. Yes.

Q. Are the contents of TEP-6 true and correct to the best of your knowledge?

A. Yes, they are.

Q. Do you have any changes you would like to make to TEP-6?

A. There are a couple of teeny-tiny ones that I can point out as we go through the presentation.

Q. Thank you very much. Please continue.

A. Okay. So first of all, good afternoon, Chairman Stafford and members of the committee. It's good to be here before you again for this hearing, and I appreciate you being here.

So my name is Clark Bryner. I've testified before most members of the committee here at least on a number of occasions. My role with both Tucson Electric Power and UNS Electric is the manager of Siting Outreach and Engagement, and as I already said, on this particular project that was the lead project manager.

A little bit about my background. I have a bachelor of arts in geography and a master's of science in bioregional planning, both from Utah State University. I'm a member of the American Planning Association, and am a certified planner. I've had that certification for the

past 15 years.

I have over 20 years of experience in the electric utility industry. Over the past four years I've been in my current role. Prior to that I was in maintenance planning and asset management for about 10 years with responsibility for TEP's transmission system. And prior to that I spent about six years in different environmental planning roles both with the company as well as a consultant.

So I'd like to just start my testimony with a brief introduction to the company. So Tucson Electric Power primarily serves the Tucson metro area, but we do own, operate or have interest in energy resources and transmission facilities throughout Arizona and New Mexico.

On Slide 5, I'll try to call out the slide numbers because I know we don't have giant screens before us here, and that'll help you follow along with your iPads. If I forget to do that you can give me a tickler.

So Slide 5, it's kind of got a weird shape on this slide, so that is -- it's highlighted there -- that is TEP's service territory. Roughly at the center of that is the city of Tucson. And within the service territory, TEP serves about 457,000 customers and a population of about 1.2 million people.

TEP owns and operates approximately 2,200 miles of transmission lines ranging in voltage between 138kV up to 500kV.

We also own and operate 147 substations and switchyards.

So moving on to Slide 6, I'll orient you to the location of the Southwest Tucson Reliability Project.

So the project we're discussing is located within the area outlined in red on Slide 6. As you can see, it's located at the edge of TEP's service territory, which is one of the drivers for the need for the project.

Going on to Slide 7 and zooming in just a little bit, I'm going to try to highlight. So the project area is located just to the west of I-19 which kind of drawing on here, I-19, just to the south of State Route 86 or the Ajo Highway.

And, again, just kind of on the eastern -- sorry, the western -- it's on the western edge of the city of Tucson, with the city of Tucson jurisdictional boundary being located on the east side of this project area. So that's indicated with this dashed black line.

Today the area's served through an older 46kV line which is illustrated with the bold blue line you can kind of see here. As well as by two 46kV substations, so the Bilby Substation illustrated by a blue triangle, and

the Bopp-Donald Substation, illustrated by this blue triangle. So this is a radial line, so it means it only has one source of power. We've talked about that on other cases.

TEP's 138kV system which is illustrated with this bold red line, and the Midvale 138kV substation is located on the eastern side of the project area.

So going to Slide 8, this shows that same project area but schematically using a one-line diagram to illustrate how the area is served today.

So the radial 46kV line that extends into the project area originates about five miles to the east at our Irvington Substation, which is a major hub in TEP's system that interconnects to the regional electric grid.

So that radial 46kV line serves both of those older 46kV substations, the Bilby and the Bopp-Donald Substations. Both of those substations were built in the early 1970s.

TEP's 138kV system, as I mentioned, is located on the eastern side of the project area and does connect to the regional electric grid already and provides looped transmission service to some of the customers in the area through the Midvale Substation.

The Midvale Substation, however, cannot on its own support the entire project area. And one other thing

that I just want to mention while we're on this slide is that the 138kV system and the 46kV line are separate from one another within the project area.

So going to Slide 9, because the 46kV line serving the project area is a single radial line with its source somewhat distant from the area, and it's located on the edge of TEP's system, the project area is susceptible to frequent and long duration electrical outages.

If anything happens to the 46kV line, all of the customers in the area will be out of power until a repair can be made. This happened most recently on August 19 of this year. A pole failed on the 46kV line during a storm, disrupting the source of power to both the Bilby and Bopp-Donald Substations, and with no way to quickly restore power through switching over 10,000 customers out of power for approximately four hours until that pole was replaced. The area affected by that outage is illustrated in red on Slide 9.

So as long as the distribution system in the project area is supported by a single source of power, there exists a risk for frequent and extended outages affecting customers in the area.

Beyond the outage risk, the 46kV system is at capacity and is limited in its ability to serve

customers' electrical needs both now and in the future. Specifically, the circuits in this area are at 79 percent capacity. Now, TEP considers 75 percent capacity the threshold where we begin to plan for additional facilities.

Moving on to Slide 10, the purpose of the Southwest Tucson Reliability Project is to replace the existing 46kV system with a new looped 138kV transmission line and substation to support long-term reliability.

And on to Slide 11, TEP's proposed solution is to build a looped 138kV transmission system to the project area. This is similar to the looped transmission project that TEP has proposed on other recent projects such as the Midtown Reliability Project as well as the Northwest Marana Reliability Project.

TEP plans to build the project in two phases. So the first phase we would build out the planned Tucson Estates Substation, just south of State Route 86 or the Ajo Highway, and we would interconnect that with the Midvale Substation through Phase 1. So by building a 138kV circuit.

And then Phase 2 would build a tie in to TEP's existing 138kV transmission system by building a second circuit over to a point just to the west of the Santa Cruz River, where we could tie into that existing system.

So Phase 1 is planned to be in service in 2029 and Phase 2 is planned to be in service in 2030.

CHMN STAFFORD: And Mr. Bryner, most of the customers in this area, they're outside of the Tucson city limits; correct?

MR. BRYNER: Correct.

CHMN STAFFORD: Does the City plan to annex the portion where these customers are located, do you know?

MR. BRYNER: I'd have to look into that. I don't know.

CHMN STAFFORD: Just curious. Please proceed.

MR. BRYNER: So going on to Slide 12, so this again shows that same project area but schematically using a one-line diagram to illustrate what our proposed system configuration would look like.

So in this drawing you see the two 46kV substations and the radial 46kV line have been retired. Tucson Estates Substation would be constructed and would be connected to the regional electric grid through two sources, one to the Midvale Substation and a second to the South Substation.

The circuit extending between the Tucson Estates and South Substations would largely reconfigure

what we now have operational and call our Midvale to South circuit. But it would leave an approximate two-mile segment of the old circuit deenergized. So that's illustrated in this slide in a dashed blue line.

So TEP plans to retain that segment for future use in order to connect Midvale to a planned substation in the vicinity, but that's not -- we're not proposing that as part of this project.

So once complete, the project will have several benefits to existing and future customers in the area. So first, the older equipment and poles that are more susceptible to failure will be replaced with new equipment, and more robust steel poles.

Second, the system will no longer depend on a single source of electricity, but will have looped redundant transmission lines that will reduce the frequency and duration of outages, and improve system reliability.

And lastly, the project will increase the capacity to serve customers in the area from about 50 megawatts today to about 150 megawatts, which means that TEP can meet the growing needs of both our existing customers and any future customers that come to the area.

That concludes my testimony on that first part.

MS. GRABEL: Thank you, Mr. Bryner. We will now invite Ms. Renee Darling. I think she's already seated there, actually. We'll invite Ms. Darling to join Mr. Bryner on the second panel to discuss the cultural and biological aspects of the project.

So when you are ready, Ms. Darling, let me know. Actually, let the Chair know.

CHMN STAFFORD: Then we'll swear you in.

MS. GRABEL: Swear you in.

(Renee Darling was duly sworn by the Chairman.)

CHMN STAFFORD: Thank you. Please proceed, Ms. Grabel.

MS. GRABEL: Thank you.

CLARK BRYNER and RENEE DARLING,
called as witnesses as a panel on behalf of Applicant, having been previously affirmed or sworn by the Chairman to speak the truth and nothing but the truth, were examined and testified as follows:

DIRECT EXAMINATION

BY MS. GRABEL:

Q. Ms. Darling, please state your name and business address for the record.

A. (Ms. Darling) Renee Darling. My business address is 8750 East Speedway Boulevard, Suite 230, Tucson, Arizona 85710.

Q. By whom are you employed and in what capacity?

A. (Ms. Darling) I'm employed with Sonoran Land Resources, and I'm the director of environmental and land use planning.

Q. What is your role in this matter?

A. (Ms. Darling) My role was to execute Sonoran's scope of work, which included assisting TEP in the siting of the project as well as public and agency outreach and preparation of the application, as well as the completion of resource studies and analysis.

Q. And do you have the exhibit book before you?

A. (Ms. Darling) I do.

Q. Will you please turn to Exhibit TEP-4, which is the testimony summary of Renee Darling?

A. (Ms. Darling) It was upside down. Yes, I'm there.

Q. Okay. Thank you. Was TEP-4 prepared by you or under your direction and control?

A. (Ms. Darling) Yes, it was.

Q. Are the contents of TEP-4 true and correct to the best of your knowledge?

A. (Ms. Darling) Yes, they are.

Q. Are there any other changes you would like to make to TEP-4?

A. (Ms. Darling) No, there aren't.

Q. Okay. Thank you, Ms. Darling. I think you are new to several, if not all, of the current committee members, so will you please walk through your background?

A. (Ms. Darling) Yes, I have a bachelor of science degree from Western New Mexico University and over 30 years of experience in environmental and land use planning.

The majority of my experience is in the electric utility industry as well as working on other linear infrastructure projects. I have testified before the power plant and line siting committee on six previous occasions, but have also worked on dozens of line siting projects in Arizona over the past 25 years.

I am considered a subject matter expert amongst my peers, and in the past two years I have also presented at APA and EUCI conferences as well as conducting training with Arizona Public Service.

Q. Thank you very much. I think, Mr. Bryner, you're now going to take over at Slide 16?

A. (Mr. Bryner) Yes.

Q. Go for it.

A. (Mr. Bryner) Okay. So over the past year TEP

went through a comprehensive siting outreach and engagement process that resulted in the identification of the proposed route included in our application for a certificate of environmental compatibility.

I'll discuss that process a little later in my testimony, but first I'd like to describe in detail the proposed route.

I think it's really important to clarify that TEP evaluated many alternative routes for the project, but we're not preparing any alternatives. We're proposing a single route for your review and approval to be built in two phases. Both phases of the project are required.

Phase 1 is illustrated in the map on Slide 16 as an orange -- as a thick orange line and would originate at the existing Midvale Substation, which is located near the intersection of the Drexel Road and Mission Road within the incorporated boundary of the city of Tucson.

Phase 1 then extends along Drexel Road and then south along Westover Avenue, where it turns to the west extending along Valencia Road. For that portion, it would be collocated with Phase 2 and is illustrated on the map with a checked blue and orange line.

It extends to the west all the way to Spencer Avenue where it would go north along Spencer Avenue to

the proposed Tucson Estates Substation illustrated with the black triangle.

And Phase 1 as a total would be about 7.7 miles in length.

Phase 2 then originates at the Tucson Estates Substation and extends west to southwest more or less adjacent to State Route 86 to Camino Verde, where it then heads south to on Camino Verde to Valencia Road, and then it extends east on Valencia Road all the way to what we're calling our proposed circuit tie, adjacent to the Santa Cruz River. In total Phase 2 is approximately 9.5 miles in length.

For both of those routes we're requesting a 300-foot-wide siting corridor just to give us a little bit of flexibility in obtaining final right-of-way and doing any final engineering.

So Slide 17, now, you all have a paper copy of this slide in front of you. That's where this comes from. It's similar, but a little bit different than the map on Slide 16, because it illustrates the proposed route by the type of construction that it represents.

So one of the reasons that TEP is not proposing any alternative routes is because the proposed route repurposes a substantial amount of existing facilities.

You'll hear more about this later, but as we

went through the siting process and met with residents in the local community and stakeholders, we saw three key themes that continually rose to the surface:

First of all, we learned that the views of the Tucson Mountains from residential areas should be preserved.

Secondly, a desire to avoid residential areas.

And third, a request to make use of existing facilities rather than creating new utility corridors.

The route we're proposing respects all three of these community values, and I'd like to illustrate how through this map on Slide 17 that is symbolized to show the type of construction.

So the route segments in orange, and I'll kind of highlight these, so along State Route 86 in orange, and then on Drexel Road and Westover, those are the only portions of this where new build would occur. So that consists of about 17 percent of the project.

Of this new construction, only the portion along Drexel Road right in here coming out of the Midvale Substation is adjacent to residential areas. So that's about a half-mile stretch.

The route segment in red illustrates where we would add a second circuit to existing transmission structures. And this is about 13 percent of the project.

And this is -- this is the area that's closest in proximity to where the gentleman who provided public comment lives. He's kind of in between Camino Verde and Spencer in here.

So like I said, that's about 13 percent of the project and in this segment along Spencer Avenue, there's an existing 115kV transmission line that's owned by the Bureau of Reclamation and it's operated by Western Area Power Administration.

And its purpose is to serve pumps that are operated by the Central Arizona Project, so hopefully that's not too confusing. Bureau of Reclamation owns it, WAPA operates, and it serves the CAP.

So this existing transmission line was built to a double-circuit standard. And TEP already has an agreement to add a second circuit to these structures.

CHMN STAFFORD: So that one, the red along Spencer Avenue with the WAPA-operated line, that is a single 115kV circuit on double-circuit poles?

MR. BRYNER: Correct. Single circle today on double-circuit capable poles.

CHMN STAFFORD: And seems like they were planning ahead for something using double-circuit capable poles.

MR. BRYNER: So, yeah, Chairman Stafford,

they definitely were. So when this line was built, it was built back in the early '90s, it was actually built by TEP.

TEP was contracted by WAPA to build it, and as part of that agreement, we negotiated at that time the opportunity to put a second circuit on there if and when the need ever arose, so I've got to compliment a predecessor of mine, Ed Beck, who negotiated that agreement.

CHMN STAFFORD: Now you're glad he did.

MR. BRYNER: Some good forethought.

CHMN STAFFORD: Thank you.

MR. BRYNER: So going on to describe these different colored route segments. So in pink here along Camino Verde, and in green down here on Valencia Road near the Tohono O'odham Nation, those are areas where the existing 46kV lines that we would rebuild those to a 138kV standard, so they'd be on steel poles, slightly taller. And so that represents about 12 percent of the project.

And lastly, the route segments in yellow here along Valencia and blue along Valencia and extending all the way here to the proposed circuit tie, those are areas where we would use existing facilities, but we would energize them at 138kV. We would have no need to

do any new construction. So that represents about 58 percent of the project.

So kind of going along the story that I shared with Spencer Avenue, back in the early '90s, this stretch was rebuilt by TEP -- well, was rebuilt by WAPA, by the Bureau of Reclamation to be operated by WAPA, and TEP did the construction on that.

But at that time, so we had a preexisting line along there, a 46kV line existed there previous so WAPA wanted to -- sorry, the Bureau of Reclamation -- I'll get it right in my own head -- the Bureau of Reclamation wanted to use the alignment that TEP, and so requested the ability to build that 115kV line there.

And so that was done back in the early '90s, but at the time both of those circuits even though they weren't operated at 138, were built to a 138kV standard. So the wires were capable of supporting that voltage. The poles are capable of supporting it. We just need to energize it at those voltages.

CHMN STAFFORD: So it's a double-circuit 115kV?

MR. BRYNER: It's a double -- today it's operated -- well, and the 115kV is actually deenergized. But it's a double-circuit 115/46kV pole today, or pole line.

CHMN STAFFORD: And so you can use the existing poles to make it a double-circuit 138, then.

MR. BRYNER: That's correct.

BY MS. GRABEL:

Q. Mr. Bryner, if I could interject, the legend to this map says, "convert the existing." Is "convert" really the right verb to use there?

A. (Mr. Bryner) Personally, I went back and forth on convert and energize. I can go either way. But in essence what we're doing is we're taking whatever voltage it's at today and we're going to energize it at 138kV voltage. But there's no need for any new construction in that area for the blue and yellow stretches. It's simply changing the voltage that's flowing through.

Q. And we --

CHMN STAFFORD: For both circuits.

MR. BRYNER: Correct. For both circuits.

BY MS. GRABEL:

Q. And we've talked about the poles being the same. Are the conductors the same that will be used for our project?

A. (Mr. Bryner) They are.

Q. And they'll use all same hardware and insulators, et cetera?

A. (Mr. Bryner) Yes, they will.

Q. All right. Thank you. Please continue.

A. (Mr. Bryner) Okay. I'm just making sure I've described all these colors. I believe I have.

So sort of the point that I want to get across with this slide is, you know, again looking at those three values that we learned from the community that were important to them, preserving views of the mountains, avoiding residential areas, and making use of existing infrastructure, these routes really maximize that use of existing infrastructure which then keeps costs down.

It also minimizes visual impacts to the area. And further, the proposed route minimizes new construction within residential areas. Again, there is that half-mile stretch that I've highlighted along Drexel Road, but other than that, it avoids new construction in residential areas.

CHMN STAFFORD: Member Mercer.

MEMBER MERCER: Yes, thank you, Mr. Chairman. Mr. Bryner, you mentioned there's three crossings or overhead crossings but you're removing two of them? Can you explain why you're removing two and keeping one?

MR. BRYNER: Sure. Members, I have a slide on that later in my presentation that I'll show you graphically, but I'm happy to answer it right now.

MEMBER MERCER: No, just when -- I always write everything down and then I said I'm going to ask a question and then somebody asks the same question, and I never get to ask questions. So yeah, when it comes, that's good.

MR. BRYNER: Okay. Thank you.

So moving on to Slide 18 for those few areas where there would be new build, TEP would propose to build those lines with our standard 138kV transmission poles, which are tubular weathering steel as illustrated in the photos on Slide 18.

Now, TEP doesn't normally collocate distribution with our transmission, but there are portions of this project where we propose to do that such as along Valencia Road.

Again, on Valencia Road, the poles, the wires, they all exist today and they were built with the distribution underbuild, and that's one of the photos on the far right of Slide 18.

So in those cases, we don't intend to touch it. We'll leave it as is.

CHMN STAFFORD: When you say distribution underbuild, what voltage is that?

MR. BRYNER: It's 13.8kV. So let me just highlight that on this screen. So this is our

distribution underbuild. 115kV circuit. 46kV circuit. Both built to a 138kV standard.

CHMN STAFFORD: Okay.

MR. BRYNER: So these poles are typically 75 to 85 feet aboveground and have a distance between 600 to a thousand feet between the poles. Though when we do have the distribution collocated with it, those spans are much shorter, just because of limitations on that conductor.

And I mentioned that we would be requesting a 300-foot-wide siting corridor for our CEC, but the ultimate right-of-way width would be no wider than 100 feet, and in many instances where it would be -- it would be located within road right-of-way.

(Reporter clarification.)

CHMN STAFFORD: So the corridor is only going to be for the new build section, because everything else is going to be in the existing right-of-way if you're using existing structures, then; correct?

MR. BRYNER: Correct. We did request a 300-foot corridor everywhere. I guess it was easier to describe. But, yeah, it would really only come into play on the new build pieces.

CHMN STAFFORD: That's what I thought. Thank you.

MR. BRYNER: So going on to Slide 19, I won't go into too many details on the Tucson Estates Substation since it's not part of our requested CEC. But I did just want to mention it.

So the planned substation will be located on land that TEP has leased from the Arizona State Land Department just south of State Route 86 or the Ajo Highway, and just east of the Tucson Estates Parkway.

So this will be a 138kV substation and as I mentioned earlier it will have a load-serving capability of 150 megawatts, and once in service it will replace the two older 46kV substation as the Bilby and Bopp-Donald Substations.

And TEP did receive a power substation permit from Pima County authorizing the construction of that substation in September of this year.

CHMN STAFFORD: Okay. Member Fontes, you have a question?

MEMBER FONTES: I do. Clark, thank you for the overview. Appreciate that. Couple of questions back to WAPA. Did you guys have them or did you do a structural survey or engineering analysis for the new project?

And then is there any kind of modifications on that? Because that's old technology. We're looking

forward and specifically looking at grounding protection and those sorts of things.

And then lastly, can you remind us if there's any kind of additional NEPA review you need to do since this is a federal line you're tying into?

MR. BRYNER: Thank you, Member Fontes.

So let me first address your question on the structural integrity and design of the existing facilities. Yes, we did coordinate with them, and yes, in fact, since TEP built the line we have all the drawings and everything, and we did -- so we looked at all those drawings, confirmed from an engineering standpoint that they were structurally sound to support the line energized at 138kV.

We did inspections, both visual as well as intrusive inspections, of the structures to confirm their integrity, to confirm that all the hardware was in -- that everything was in condition -- was in sufficient condition to be energized at 138kV and all that came back looking positive. So we're confident that these lines can support the 138kV voltage, they can be energized at that today.

Now, to answer your other question about NEPA, so this line is not owned by TEP today. We don't have the ability to use that line. It will be sold at

auction. It's supposed to go up to auction later this year or the very first part of 2027. Now --

MEMBER FONTES: So WAPA is going to divest of this and TEP's going to acquire it?

MR. BRYNER: So it's actually the Bureau of Reclamation's asset, and so yes, they're going to divest of it, and it is our intention that we will -- that we will purchase it.

MEMBER FONTES: So they will divert in terms of any kind of insurance or other types of liability and transfer over to TEP?

MR. BRYNER: That's correct.

MEMBER FONTES: Okay. Thank you.

MR. BRYNER: And so, then that leads into your other question about NEPA. So after the purchase is made it will no longer be a federal facility. It would be a private facility. And so NEPA wouldn't come into play there.

Now, I'll get into this a little bit later, but there's are some stretches where we would cross land under the jurisdiction of Bureau of Land Management, and so that would have a federal nexus and trigger a NEPA review.

MEMBER MERCER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Mercer.

MEMBER MERCER: So when you said it's going to go on auction, who else could bid on it?

MR. BRYNER: So the Bureau of Reclamation has indicated it will only be open to utilities with a certificate of convenience and necessity.

CHMN STAFFORD: A bidder of one, then.

MR. BRYNER: We'd like to think that but we're not guaranteed anything.

MEMBER MERCER: Thank you.

CHMN STAFFORD: Another quick follow-up question, Mr. Bryner. Now, from the new Tucson Estates Substation, what voltage would be coming out of that to serve customers?

MR. BRYNER: So it would be 13.8kV.

CHMN STAFFORD: Okay. Thank you.

MR. BRYNER: So I'm going to now go and describe the route in detail, including the environmental compatibility of the route. To use that, I'll be using the base map on Slide 20 which is, again, substantially similar to the placemats that you have in front of you.

We also have a poster of it up here in the front if you want to reference it, but it will come up on the screen as well.

So I just want to take just a minute to orient you to the map. So as noted in the legend in the

upper left of the map, the proposed route is the same colors that I've already explained, so Phase 1 is orange, Phase 2 is blue, where they're collocated on the same poles it's that checked blue and orange.

Let's see. I already mentioned what we're calling the area of analysis. That's the area that's highlighted, so that's a half a mile either side of the proposed route.

There are existing electrical transmission lines that are illustrated, and those are illustrated with a red line with blue circles, so you've got a number of those present throughout the area.

You also have existing natural gas pipelines that are illustrated with a yellow line crisscrossing through the area, and the Central Arizona Project or CAP canal is illustrated with a sort of turquoise color extending through the area.

Also on the map are parks and preserves illustrated in kind of a greenish color. And then in private areas as well as tribal areas, we're showing the existing or planned land use in various colors, and those colors are indicated in the legend in the upper right of the map.

And also, I failed to mention this, but there are a number of tribal lands in the area, both the

Pascua Yaqui tribe as well as the Tohono O'odham tribe. And those are indicated with a brownish hatch mark.

So one other thing as I advance to Slide 21, you'll see these black circles with a cone extending from those. Those represent key observation points and places where I'll share a photo simulation that we've prepared. And the cone indicates more or less the cone of vision or the direction that the visual simulation is looking.

So with that I'll begin describing the route by starting with the Midvale Substation. And I'm going to turn to Slide 22 where we have our point number 4.

So as we look at these key observation point slides, I've got a number of them, they're all oriented the same way, with the existing condition on the left-hand side of the slide, the simulated condition on the right-hand side of the slide, and in the upper right there is a reference to the application and where you can find a hard copy of these in case you wanted to look at that.

So first of all, so from key observation point 4, this is located just to the west of the existing Midvale Substation looking down Drexel Road to the west.

Within this photo you can see some existing

wires crossing from left to right. Those are the existing 138kV lines that serve the Midvale Substation today.

In the simulated condition, you can see some new poles or slightly taller poles extending into the distance along Drexel Road.

This is an area that represents sort of a typical view for a residential or a recreational viewer along Drexel Road with the nearest pole about 615 feet away.

And in this area, the visual impact is deemed to be low, because there are existing transmission facilities as well as distribution lines extending down the roadway.

So going on to Slide 23, so kind of as I describe these routes, you'll see a little bread crumb trail on the slide. It's kind of indicated by a black dotted line. That's the area that I'll be describing for -- for that piece of the slide.

So in this area as we move down Drexel Road and across Mission Road, we immediately leave the jurisdictional boundary of the city of Tucson and enter into unincorporated Pima County.

On the south side of Drexel Road is a finger of the Tohono O'odham Nation. On the north side

you have commercial land uses extending into some density residential areas that are part of the Garden City -- not Garden City -- it is Garden City. I should trust myself.

The Garden City subdivision. There's about 13 homes on the north side of the Drexel Road that we would run adjacent to in that area.

Now I want to share the simulation from key observation point 5. So, again, existing condition, on the left-hand side you do have existing distribution lines, 13.8kV distribution lines on both sides of Drexel Road in this area.

You can see on the north side of Drexel or the right side, you see homes. Those are those homes I referenced. On the south side you do see some buildings. Those are not homes, those are actually old buildings that were part of a swap meet that used to run there on the reservation.

In the simulated condition, you'll note the slightly taller structures running along the north side of Drexel Road, so those would be our 138kV structures.

CHMN STAFFORD: And the 46kV structures there would remain there along Drexel Road?

MR. BRYNER: So these are actually distribution, 13.8kV distribution facilities. And they would remain. We are showing them as being collocated

with the transmission. We haven't made a final decision on whether or not those would be rerouted, buried or collocated.

CHMN STAFFORD: Right. But a 300-foot corridor would allow you to put the transmission line on either side of the road; correct?

MR. BRYNER: That is correct.

CHMN STAFFORD: And the distribution lines are on the north side of the street?

MR. BRYNER: They run on both the north and south side today.

CHMN STAFFORD: Okay. Thank you.

BY MS. GRABEL:

Q. And Mr. Bryner, just before you leave this slide, the transmission line here is pretty close to these residences. I just wonder what kind of outreach did we do to those folks, and did you receive any feedback from them?

A. (Mr. Bryner) Sure. Yeah, you do have the line running in the front yards of these homes, so we did reach out to all of these homes.

We had a sign actually advertising our public open houses that we had. That was located just on Mission Road a few hundred feet away from these. We also sent them all individual postcards to their homes, we

sent them e-mails. We advertised in the newspaper.

Did a lot of things to try to get the word out to them. In fact, our open houses were just down the street. Two of our three open houses were just down the street from this area.

In total we didn't actually get any comment from anybody on the homes adjacent to the line right here.

CHMN STAFFORD: And they're all TEP customers as well, aren't they?

MR. BRYNER: They are, correct.

CHMN STAFFORD: Okay. Member Mercer.

MEMBER MERCER: Yes, thank you Mr. Chairman.

This area looks very familiar. How close is this to the old swap meet?

MR. BRYNER: This is the swap meet location. The swap meet location is right here.

MEMBER MERCER: Okay. Thank you.

MR. BRYNER: Yep. Moving on to Slide 25. So, again, I really already described the land uses on Drexel Road, so those continue. And it's 13 homes total on the north side of Drexel Road.

Once we get to Westover Avenue you can see the El Paso natural gas line running north or south here. That continues along Westover Avenue and even further

south.

And that runs within kind of a natural area to the west side of Westover Avenue. It's about 350 feet wide and we would propose to locate our line on the western edge of Westover Avenue, and to the eastern side of that natural area kind of creating a natural barrier between homes that are further to the west within the Drexel Heights neighborhood and the Tohono O'odham Nation. And I'm going to show you a picture of what that looks like from key observation point 7.

CHMN STAFFORD: That would be -- the transmission line would be parallel to the natural gas line, then.

MR. BRYNER: That's correct.

CHMN STAFFORD: About how far apart would they be?

MR. BRYNER: I'll say around 100 feet.

CHMN STAFFORD: Okay. Member Comstock isn't here today, but I'm assuming you're prepared to include and comply with the standard condition for locating transmission lines parallel to natural gas lines?

MR. BRYNER: Yes, we are.

CHMN STAFFORD: And I'm assuming also you've spoken -- who is the operator of this natural gas

line?

MR. BRYNER: It's an El Paso natural gas, so Kinder Morgan owns El Paso natural gas line.

CHMN STAFFORD: And then have you been in communication with them about the project?

MR. BRYNER: Yes, we have, and we have included in our -- I believe it's in our supplemental filing a letter from them directing us as far as next steps.

CHMN STAFFORD: Okay. Excellent. Thank you.

MR. BRYNER: So key observation point 7, so in the existing condition, this is Westover Avenue you see. We're looking south. This is that natural area that I talked about, the El Paso natural gas line is located a little bit out of the screen here within that natural area you see, and even beyond that there's also 13.8kV distribution line and then beyond that further to the west you have the homes in the Drexel Heights neighborhood.

So we would be looking at putting our line collocated in that utility corridor with the natural gas pipeline, but adjacent to and within road right-of-way of Westover Avenue.

And so, yeah, you can see the poles in the

simulated condition. And like I said, they're about 350 feet away from the residences that are located further to the west.

So moving on to Slide 27, just continuing down Westover Avenue. Again, you have the Drexel Heights neighborhood kind of in this area, then it becomes the Mission Terrace neighborhood just to the south of that.

And then you just have undeveloped land owned by the Tohono O'odham Nation to the east. And again, that natural gas pipeline and that natural corridor continue along Westover Avenue. And we'll see in Slide 28 from key observation point 8, this is what a typical view would be like from within that residential area looking through that natural area towards the transmission line.

So in the existing condition, again, you can see the existing 13.8kV distribution line, and you see the natural area. Within the simulated condition you still see that 13.8kV line, and further in the distance you see the 138kV line.

So in this area, while it would be visible, the existing distribution line is more prominent, and we would be introducing a feature that has a similar form, line, and color. So it would be slightly taller so we did classify this has having a moderate visual impact to

those residents.

CHMN STAFFORD: And the new transmission line would be west of the existing distribution lines?

MR. BRYNER: It would be located east but further away from the distribution lines. And let me correct myself. We classified it a low visual impact, not moderate. Because of the existing distribution lines.

CHMN STAFFORD: Okay. So I'm looking at simulated condition, KOP-8 on slide 28. I see the existing distribution line. We are looking south, aren't we?

MR. BRYNER: We're looking southeast.

CHMN STAFFORD: Southeast. And so the -- okay. That's the new poles there. And they're further east than the distribution line?

MR. BRYNER: Correct. Chairman, if you can look at the screen, I just wrote it out a little bit on here. So the existing distribution is this pole. So, again, further, probably about 250 feet further east is where the transmission would be located from that distribution pole. So the transmission pole actually perspective-wise looks smaller than the distribution from this area.

CHMN STAFFORD: Okay. That's confusing me.

Seems like if the bigger pole is closer it should be more prominent than the smaller pole that's further away.

MR. BRYNER: The bigger pole is further away. So the distribution pole is located closer. It runs adjacent to the residence versus the transmission -- let me go back to Slide 27.

So here along Westover you have a distribution line that runs here, and then you have the transmission line that runs along the road. So the distribution is located on the west side of the natural area. The transmission would be located on the east side of the natural area.

CHMN STAFFORD: Okay. That makes -- I got my directions turned around there. Thank you.

MR. BRYNER: Going on to Slide 29. So Phase 1 would continue south along Westover, again we'd just be passing, we'd pass adjacent to the Mission Terrace neighborhood on the west side. Again, they've got a buffer of that natural area between them and where the transmission line would be located along Westover, and then on the west side of the Tohono O'odham Nation.

And then Phase 1 would turn to the west along Valencia Road. So here, this is where we would be on existing poles using existing wires, nothing would change.

So those poles are located on the south side of the road. Through this area we would be located adjacent to -- so we'd be on the south side of the Mission Terrace neighborhood on the north side of -- of some lower density residential on the south side. And we would run through a pretty good-sized stretch, about a half a mile stretch of commercial through that area.

And then it's kind of intermixed between undeveloped and low density residential along Valencia Road all the way to our key observation point 9. Let me show you what that looks like on Slide 30.

So this is right near the intersection of Valencia Road and Camino de Oeste. At this point, the existing transmission line, so again you've got the 115kV circuit and the 46kV circuit. It crosses diagonally to the north side of Valencia from the south side.

When you look at the -- we're looking towards the west, basically straight down Valencia here. As you see that in the simulated condition, it looks exactly the same, because we're not changing anything. So there would be no visual impact.

CHMN STAFFORD: So the existing line goes from the south side to the north side of the street there?

MR. BRYNER: That's correct.

CHMN STAFFORD: Okay.

MR. BRYNER: So going on to Slide 31, so, again, so from that last key observation point that we were looking at and extending to the west, again, it continues to be collocated, both Phase 1 and Phase 2 are collocated on the same structures, structures that exist today that has the 46 and 115kV lines.

It extends through areas that are primarily undeveloped but there is a little bit of, again, low density residential in this area, primarily on the south side, and here we're located on the north side of the road.

It does begin to extend through a little bit of area that's under the jurisdiction of the Bureau of Land Management, and then on the south side you have the Casino del Sol that's operated by the Pascua Yaqui tribe, and that's where key observation point 10 is located.

So moving to that on Slide 32.

In this existing condition you can see on the south side or the left-hand side of the existing condition, this is a distribution line, and on the north side of the road or the right-hand side, this is the existing 115 and 46kV line extending east to west.

And then the buildings, the large buildings

here are part of that, the Casino del Sol. In the simulated condition, again, it looks the exact same.

I didn't note that it's the exact same because if you've got eagle eyes you can see in the far distance where we've added a second conductor to along Spencer Avenue. But really no visual impact in this area.

So as we continue along, the routes continue down Valencia Road. Nothing changes there until we hit Spencer Avenue. Now, once we hit Spencer Avenue, Phase 1 turns to the north, Phase 2 would continue down Valencia Road.

As we go north we have some fee-owned lands, Pascua Yaqui fee-owned lands on the west side of the road, and on the east side of the road it's land under the jurisdiction of the Bureau of Land Management or BLM.

Also in this corridor is the CAP canal. It is buried in this location. And we have the existing 115kV, we'll just call it the WAPA line. And we would be putting a second circuit on those structures.

CHMN STAFFORD: Member Fontes, you have a question?

MEMBER FONTES: I do not, Mr. Chairman. I do not.

CHMN STAFFORD: Oh, because your hand is up.

MEMBER FONTES: I'll correct it. Thanks.

CHMN STAFFORD: Please continue, Mr. Bryner.

MR. BRYNER: So let's go on to Slide 34 and look at key observation point 13. So this is the along Spencer Avenue looking to the south. So in the existing condition you can see the, again, double-circuit capable, but only housing or only supporting a single 115kV circuit today.

You do see some of these low density residential homes in the area. And as we look to the simulated condition, you can see where we've added a second circuit to those existing structures.

So in this area, we have classified this as a moderate visual impact because the BLM manages this area was what they call a Class 3 area within their visual resource management system.

And it is located adjacent to these homes and while there is existing infrastructure there, we would be adding three new wires.

Going on to Slide 35. So we would continue north along Spencer Avenue, again on those existing poles, just adding a new circuit or three new wires to

those. We would be extending through low density residential on both sides of Spencer Avenue up until we get to key observation point 14, which is located really joint to what's called the Sunset Acres subdivision, which gets into more a medium density residential. So let's take a look at that.

So this key observation point on Slide 36 now, key observation point 14 is looking more or less to the north, a little bit to the west. You can see in the existing condition the existing 115kV WAPA line.

In the -- also in the background I should point out these are the Tucson Mountains, so that's one of the views that was important to protect to the residents in the area were the views of the Tucson Mountains.

And in the simulated condition you can see the addition of the second circuit on those existing poles and the additional wires.

So similar to the last key observation point, we did determine that this was a moderate visual impact, again, because we're adding some additional wires into that viewshed.

MEMBER MERCER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Mercer.

MEMBER MERCER: Mr. Bryner, you had

mentioned some changes. Member Drago just pointed out to me that point key observation point 13 is different from the placemat.

MR. BRYNER: Thank you for pointing that out. Key observation point 13 on the placemat is actually number 12 on the placemat. Number 12 on the placemat is actually number 13.

MEMBER MERCER: He counted.

MR. BRYNER: We'll need to hire you next time. Sorry about that. Thank you for pointing that out. So the placemat if you transpose those two, they are correct, but on the placemat in the upper right, that should be KOP 12. In the bottom left that should be KOP 13.

Any further questions on that?

CHMN STAFFORD: So you'll have new placemats to us by tomorrow morning, then? I'm just kidding.

MR. BRYNER: We can make some pretty paper ones.

CHMN STAFFORD: No, that's not necessary. I'm being facetious. Please proceed.

MR. BRYNER: Okay. So moving on to Slide 37, as we proceed north along Spencer Avenue, again, we cross adjacent to the Sunset Acres subdivision

on the east side of Spencer Avenue and low density residential on the west side of Spencer Avenue. Again, we would be located, collocated on those existing poles with the 115kV circuit.

We would extend that all the way up to the proposed Tucson Estates Substation, which is as I mentioned before is located on land that TEP has leased from the Arizona State Land Department.

From there, Phase 2 would extend north out of the substation up to and adjacent to State Route 86 which is an ADOT-managed state highway.

We propose to be located outside of the ADOT right-of-way on the state land in that area, but running parallel to the highway.

Also in this area there is an existing, it's the Black Mountain Substation, it's operated by WAPA. Again, it's part of that facility to serve the CAP pumping station which is located in this area indicated in purple on the north side of the highway.

So Phase 2 would extend along the highway and then jog to the south crossing over a 115kV WAPA line, and around a gas station and then continuing to the west-southwest over land that's under the jurisdiction of the Bureau of Land Management.

Now, in both this area as well as the area

to the south off of Valencia Road, we have had conversations with the BLM about that. And they've indicated that, you know, because of the acreage involved, because of the existing facilities it would likely be a low level NEPA review, probably a categorical exclusion.

CHMN STAFFORD: All right. And you said that purple area on the map, we're looking at Slide 37, you said that's the CAP pumping station?

MR. BRYNER: That's the Snyder Hill pumping station, which is, yes, a CAP pumping station.

CHMN STAFFORD: All right. And then did I hear you say the CAP goes underground? Is that where it runs along Spencer Avenue?

MR. BRYNER: It's underground for the entirety of where we would parallel it along Spencer Avenue.

CHMN STAFFORD: Okay. Thank you. We have been going for almost 90 minutes. I think this is probably a good time to take a break. I'm looking at the court reporter.

THE COURT REPORTER: Always.

CHMN STAFFORD: All right. Let's take a 10- to 15-minute recess.

(Recess from 3:00 p.m. to 3:17 p.m.)

CHMN STAFFORD: I believe we left off at -- were you at key observation point 15?

MR. BRYNER: I believe so, Chairman.

Before I jump into that, I did get an answer to your question if I could address that.

CHMN STAFFORD: By all means.

MR. BRYNER: Okay. You asked about if this area to the west of the City of Tucson's jurisdictional boundaries, if there were any plans or annexation, the answer is there are no public plans for that.

CHMN STAFFORD: Thank you for the very obtuse answer.

MR. BRYNER: You're welcome.

So key observation point 15 on Slide 38 is a view looking towards the northeast along State Route 86 or the Ajo highway.

So in the existing condition you can see the Ajo highway with the cars running along it, the Tucson Mountains in the first distance. I also want to point out this concrete drainage channel.

In the simulated condition you can see our proposed 138kV single-circuit line running on the south side of that drainage -- concrete drainage area.

So initially we had planned on putting our line in between the highway and that drainage way. After

consulting with ADOT they recommended we locate south of that just to provide a little bit more of a safety barrier or buffer between our poles and the cars in that area. And so that's why we moved it there, and that pushes it onto BLM land. But, again, we've had those conversations with the BLM about that.

And also this area is managed as a Class 3 area, again, by the BLM for their visual resource management system, and this was determined to have a moderate visual impact.

Moving on to Slide 39. So in this area, basically along Camino Verde there is the existing 46kV line. Once -- for Phase 2 once we -- once we've built Phase 1 and energized the Tucson Estates Substation, that will allow us to cut over the distribution circuits that are currently served out of the Bopp-Donald Substation, retire that substation and also retire the 46kV line that it serves.

And so along Camino Verde we would be repurposing that alignment for that 46kV line, and we would rebuild those existing poles with 138kV poles, which would be about 10 feet taller and on steel versus on wood.

So through this area, we do run adjacent to residential areas. On the east side of Camino Verde is

the Camino Verde Estates neighborhood. On the west side, it's not built today but it is planned as the Camino Verde Village residential neighborhood.

And then as you go further south on the west side, it is existing residential again and that's part of the Branding Iron Park neighborhood. And then on the east side of the road you have state land, a little bit of BLM land, and there are just a couple of homes.

CHMN STAFFORD: Okay. And that's an existing 46kV line on wooden poles that's going to be replaced with steel monopoles; correct?

MR. BRYNER: That is correct.

CHMN STAFFORD: Now, will it be -- will you replace it pole for pole in the locations or use fewer poles because you'll have bigger spans?

MR. BRYNER: So it will generally be pole for pole, and that's because there is distribution there and we're looking at possibly putting -- keeping that distribution in an underbuilt position.

CHMN STAFFORD: Okay. So there's the 46kV plus the 13.5kV --

MR. BRYNER: That's correct.

CHMN STAFFORD: -- currently.

MR. BRYNER: Correct.

CHMN STAFFORD: All right. Thank you.

MR. BRYNER: And as I go to the next slide to Slide 40 which, again, this is the correct key observation point 12 along Camino Verde. So take into account the placemat and that discrepancy.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Mr. Bryner, just a question on that rectangular BLM tract south of State Route 86. They had no heartburn about TEP Co coming the middle of that track, are you dodging a wash there instead of squaring it off in the corner with the transmission line? Just curious.

MR. BRYNER: Thank you, Member Fant. No, BLM did not have any heartburn about that. Again, we'd be running adjacent to that concrete drainageway. That's an ADOT-controlled drainageway. We'd run adjacent to that. So we're really in the corridor with a highway, that drainageway and then us.

MEMBER FANT: Okay. Thank you, sir.

MR. BRYNER: Okay. So looking at key observation point 12, this is from within the Branding Iron Park neighborhood so, again, kind of a medium density residential neighborhood. We're looking towards the northeast. You can see in the far distance the Tucson Mountains.

In the foreground here you have Camino Verde Road and then you have the existing 46kV line with the distribution underbuild.

So looking at the simulated condition on the right-hand side of Slide 40, you can see where we've replaced the wood pole with the steel pole, again, just slightly larger, but keeping that distribution underbuilt.

We haven't made a final decision on whether or not that distribution would remain. If it does remain it would be pole for pole. If it is removed, then we would extend those spans out.

CHMN STAFFORD: Thank you.

MR. BRYNER: And so in this area, there's about 21 homes that are located on either side of the alignment throughout this area.

So as Phase 2 continues south, again, goes past the Branding Iron Park and then as it continues south it gets into a more of a low density residential on the west side of Camino Verde, and in vacant land that's part of the BLM on the east side.

Again, existing 46kV line in this area that we would rebuild to 138. Once we hit Valencia Road, there is an existing 115/46kV line. This is actually an energized 115kV line and is the line that serves -- that

runs up Spencer and serves the Black Mountain Substation that serves the Snyder Hill pumping station.

TEP has the 46kV line on that line, and we would use that 46kV line that has already been built to a 138kV standard. So we'd be running on that all the way up to key observation point 11 and actually past all the way to Spencer Avenue.

And I'll get into that in just a second, but let's look at the key observation point 11 on Slide 42 first.

So looking at the existing condition, on the south side of the road you do have a distribution line, a distribution circuit.

On the north side, again, you've got a 115kV circuit and a 46kV circuit. The 115kV circuit is operated by WAPA, 46 is TEP, both of these are energized. But that 46kV circuit we can, without doing any new construction we can energize it at 138kV by changing the source.

In the simulated condition, no changes.

CHMN STAFFORD: All right. So this is -- you're talking about KOP 11 on Slide 42.

MR. BRYNER: Correct.

CHMN STAFFORD: And so this is west of Spencer Avenue.

MR. BRYNER: This is between Spencer Avenue and Camino Verde.

CHMN STAFFORD: Okay. All right. Thank you. Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Inside this rectangle, where does -- they had an issue, a European last name, young gentleman back there, Mr. Hromidko was your last name. Where is his parcel, 25-acre parcel located?

MR. BRYNER: I'm going to go back to Slide 41, and I'm not going to be perfect at that, but it's more or less in this area.

MR. HROMIDKO: Correct.

MEMBER FANT: Okay. All right. Thank you.

MR. BRYNER: Anything else on Slide 42?

(No audible response.)

CHMN STAFFORD: Okay.

MR. BRYNER: So going on to Slide 43, we'll start this journey on Valencia Road where we left off at key observation point 11.

So as I mentioned we'd continue on existing poles that are already built to 138kV standard along Valencia Road to Spencer Avenue.

At this point, the energized 115kV circuit turns north on Spencer Avenue on the same poles that we

would use for Phase 1. We would then continue on poles with the deenergized 115kV line further to the east.

We've already described that area on Valencia Road all the way up to Westover, so I'm going to jump over to that point. So we'll jump about four miles to the east to Westover and Valencia Road.

So at that point Valencia Road crosses through -- or crosses in Pima County road right-of-way with pieces of the Tohono O'odham Nation on the both the north and south side of the road.

Here, TEP has a 46kV line with distribution underbuild. We would be proposing to rebuild that line as from Mission Road east as a double-circuit 138kV/46kV. We need to maintain our 46kV line energized from that point to the east because it serves other substations in this area. From Mission Road west, we will be able to either decommission that 46kV line or repurpose it.

So I think somebody asked a question about that earlier, so that's where our 46kV system would stop.

So going to the -- just to the east of the Tohono O'odham Nation, let's take a look at key observation point 3.

Oh, one other thing while we're on Slide 43 to mention is that here on the Nation, it's primarily undeveloped land, but there is a low density residential

area with about six homes on to the south and west of Mission, the intersection of Mission Road and Valencia Road.

So taking a look at key observation point 3 on Slide 44, so right here in the existing condition you can see the 46kV line and the 115kV line that exist today.

The 115kV line dead ends into this structure today. So that's why we would have to rebuild the line across that half-mile stretch of Pima County road right-of-way in between the Tohono O'odham Nation.

And on the north side of the road you have an existing TEP double-circuit 138kV line.

In the simulated condition, this first pole is the same, but then you can see where we've rebuilt or replaced those existing 46kV poles with slightly larger steel monopoles to support both a 138kV circuit and a 46kV circuit.

So going on to Slide 45, so from this point to the east we've now crossed into the jurisdictional boundaries of the city of Tucson. Within this area, the land uses are primarily commercial on both the north and south side.

There is a little bit of residential on the far east -- sorry, the far west -- adjacent to the

boundary of the city of Tucson, but it's primarily commercial through this area.

But this also enters into a portion of Valencia Road that is Gateway Corridor Overlay Zone within the City of Tucson.

BY MS. GRABEL:

Q. All right. Mr. Bryner, I'm going to just stop you for a minute. On the last side you mentioned that a portion of Phase 2 is within the City of Tucson's Gateway Corridor Overlay Zone; correct?

A. (Mr. Bryner) Yes.

Q. And you're not an attorney; correct?

A. (Mr. Bryner) No.

Q. Okay. So I'm not going to ask you for your interpretation of UDC or anything. For the committee's purposes I have reproduced some of these, or we have reproduced some of these on slides 46 and 47.

I already walked through those during my opening statement. So with these provisions in mind I'm going to ask Mr. Bryner to flip to Slide 48 and to walk through in greater detail the portion of the project that runs through the Gateway Corridor within the City of Tucson's jurisdiction.

A. (Mr. Bryner) Sure. So looking at Slide 48, this is our key observation point 2. So this is at the

eastern edge of the portion I just described.

So you've got commercial land uses on both the north and the south sides of the Valencia and you can see that in the existing condition.

You can also see on the south side of Valencia, so this is looking to the east -- sorry -- looking to the west down Valencia Road. So on the south side of Valencia Road or the left-hand side of the photo you can see the existing 115kV circuit, 46kV circuit, distribution underbuild on those poles.

On the north side of the road or the right-hand side of the photo, the existing TEP 138kV double-circuit poles. And then in the simulated condition, again, we wouldn't change anything, we're simply going to change the voltage of that 115kV to a 138kV circuit using the same poles, wires, hardware, everything.

So we determined that the visual impact from this key observation point would be none. There would be no change.

CHMN STAFFORD: Okay. So there's two double-circuit lines running on either side of the street along Valencia Road between, what is it, east of Mission to past Midvale Park, I guess.

MR. BRYNER: That is correct.

CHMN STAFFORD: Okay.

MR. BRYNER: So going on to Slide 49, this is just a continuation of that segment from that last key observation point further east along Valencia Road where the existing land uses remain consistent, commercial on both sides of the road, continues to be within the City of Tucson's Gateway Corridor Overlay Zone, all the way to the east where we get into what we're calling our proposed circuit tie, which is just where TEP's existing 138kV system runs north-south, more or less parallel to the Santa Cruz River.

And let me share a photo simulation from key observation point 1.

So this is basically the bridge over the Santa Cruz River on Valencia Road looking to the west. So in the existing condition, you've got the 115kV transmission line on the south side of the road or left side of the photo. The 46kV TEP line on here.

That -- those two lines cross over Valencia Road from the south side to the north side in a diagonal fashion in this area, and then sort of in the center of this photo in the existing condition on these painted steel poles is the double-circuit TEP 115kV line, and at this point it extends actually south and north on single-circuit poles. And I'll show you a little bit more of that in a different picture here in a second.

But in the simulated condition over here you can see where we've added a new pole. This is where we would make our circuit tie. And you can see where we've -- well, you may not be able to see it, but we've removed conductor crossing Valencia Road right there from our existing circuit where it heads south, as well as we've removed conductor that crosses diagonally over Valencia Road.

So those are the two crossings we'd remove, and I'll get to Member Mercer's question in just a second here.

So I think this is going to really help answer Member Mercer's question.

So this is a planned view of that circuit tie, and I kind of want to explain how we're going to make this work and tie into our existing system.

So looking at Slide 51 on the north side of Valencia Road, you have that double-circuit line that we've seen on those painted steel poles. So one of those is our Drexel to Midvale circuit, and once you get to, I'm just going to call it the Santa Cruz River, that heads north on a single-circuit line.

And the second circuit heads south and crosses parallel -- sorry, crosses perpendicular to Valencia Road to the south side of Valencia Road and

continues south to TEP's South Substation, again, parallel to the Santa Cruz River in this area.

And then on the south side of Valencia Road you've got the WAPA 115kV circuit and you've got TEP's 46kV circuit. Then dips underneath that 138kV Midvale to South 138kV circuit, and then crosses Valencia in a diagonal fashion and then continues to the east.

What we're proposing to do is make use of a portion of that Midvale to South 138kv circuit by adding in one structure in line with the existing circuits at the point -- at the point that the 115kV circuit and the 138kV circuit cross each other.

We would add in that new pole, and that's indicated with a -- as a yellow pole on Slide 52. And we would reconfigure the existing circuit, it would no longer be our Midvale to South circuit, it would now be a Tucson Estates to South circuit, and what had been the Midvale to South circuit, a portion of that that would no longer be used would be retained for future use.

But as a result of that, the Midvale to South, the portion of the Midvale to South circuit that crosses Valencia Road perpendicular would be removed. And the portion of the 115kV circuit that heads further east from this point and crosses Valencia Road in a perpendicular fashion would also be removed, because that

circuit now extends south to our South Substation, and it would no longer be needed headed to the east.

But that third crossing that Member Mercer was asking about, that would be TEP's 46kV circuit that we need to maintain as an energized circuit because it serves other substations along Mission Road.

BY MS. GRABEL:

Q. And Mr. Bryner, before you leave this slide can you go back for a second. There is a hashed line that continues to the right of this map, I suppose you'd call it, diagram. Will that line certainly be removed or it might just be removed?

A. (Mr. Bryner) On the north side and running parallel to Valencia Road it may or may not be removed. That hasn't been determined yet.

MEMBER MERCER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Mercer.

MEMBER MERCER: Mr. Bryner, so the new pole indicated by the yellow dot, that's the only place it will be required to have land disturbance?

MR. BRYNER: The only place along Valencia Road that would require land disturbance, yes.

MEMBER MERCER: Okay. Thank you.

MR. BRYNER: So going on to Slide 53, this is the same view that we just saw on 51 and 52, but kind

of a side-by-side view so you can kind of see the before and after.

So again in that before circumstance you can see the crossings over Valencia Road. In the after you can see the addition of that single new pole and the removal of the perpendicular crossing of Valencia Road and the diagonal crossing of Valencia Road.

And I'm really making sure you guys understand this. So in case you can't care for planned views, but you like photo views, you've seen this, you've seen this image already, but just pointing out everything one more time. So this is key observation point 1, but a little bit larger image here.

So this is the existing condition, so you've got TEP's 46kV, WAPA's 115kV crossing diagonally to the north side, the existing double-circuit TEP line.

In the proposed condition we would add that single pole, we would remove the crossing perpendicular and the crossing diagonal. And we may or may not remove the wires that are running parallel to Valencia Road in this portion.

BY MS. GRABEL:

Q. Mr. Bryner, just to underscore this, but for that single new pole there will be no infrastructure built within the Gateway Corridor; correct?

A. (Mr. Bryner) That is correct.
Q. And I don't think we need to run through this slide, but does TEP on these facts believe that it complies with the Gateway Corridor provisions of the UDC?
A. (Mr. Bryner) Yes, we do.
Q. And has TEP discussed this interpretation with the City?
A. (Mr. Bryner) Yes, we have.
Q. Is TEP asking for any special finding regarding this project that would excuse its compliance with the UDC?
A. (Mr. Bryner) No, we're not.
Q. That has TEP entered into a stipulation with the City regarding this project and its compliance with the UDC?
A. (Mr. Bryner) Yes.
Q. And if you look in your exhibit book that's marked as Exhibit 24; correct?
A. (Mr. Bryner) Yes.
Q. And the statements in the stipulation are essentially those to which you have testified just now; correct?
A. (Mr. Bryner) Yes, they are.
Q. And can you aver that the statements in the stipulation are true and correct to the best of your

knowledge?

A. (Mr. Bryner) Yes.

Q. And is the stipulation signed by authorized representatives of the City and Tucson Electric Power Company?

A. (Mr. Bryner) Yes, it is.

MS. GRABEL: Thank you. This is a little unusual and out of order, Mr. Chairman, but I guess I would like to give Mr. Borman the opportunity to ask questions, because I think this is probably the most relevant portion, but if you don't want to, that's okay, too.

MR. BORMAN: I mean, I don't mind if -- I mean, if I have a question it's like one or two questions just to understand what this is. But I can do that.

CHMN STAFFORD: Is this the end of Panel 2?

MS. GRABEL: It's not the end of Panel 2 but it's the end of the discussion of the UDC and the Gateway Corridor.

CHMN STAFFORD: Okay. Because you have one more panel after this; correct?

MS. GRABEL: We have the continuation of Panel 2 and then, yes, the third panel.

CHMN STAFFORD: Right. And how much longer do you have Panel 2?

MS. GRABEL: It goes on --
MR. BRYNER: Probably 10, 15 minutes.
I'll speak as quickly as --
MS. GRABEL: Don't do that, Jen will kill you.
CHMN STAFFORD: No. Well, the next section of the testimony is going to be biology resources; correct?
MS. GRABEL: Correct.
CHMN STAFFORD: Member Fant, you had a question.
MEMBER FANT: I do. Thank you, Mr. Chairman.
Going back to Mr. Hromidko's property, he's pretty far away from, it looks like from, the project. And this is completely unscientific, but it looks to me like he's far enough away, the line shouldn't create an EMF field that will impact him while he's outside, not inside.
MR. BRYNER: As I understand where he's at he would be far enough away there would be no effects of EMF; correct.
MEMBER FANT: All right. Thank you.
CHMN STAFFORD: All right. So Mr. Borman, do you have questions about this portion of the

testimony? Because I think if you do it's probably better to have you ask them now than after we've heard about the biological resources and forgot what the Gateway Corridor zone issues were.

MR. BORMAN: Absolutely and I can be very brief.

CHMN STAFFORD: We have to stop before four o'clock because I have a prehearing conference for another matter at four.

MR. BORMAN: It is not going to be nearly that long.

CHMN STAFFORD: Can you get close to the microphone, please.

MR. BORMAN: I'm sorry. I'm trying to look at the little map that was up there.

CHMN STAFFORD: You can pull the microphone closer to you.

MR. BORMAN: I guess I could.

CROSS-EXAMINATION

BY MR. BORMAN:

Q. Mr. Bryner, could you go back to, and I'm not sure if it was Slide 52 or 53. That one will do.

Could you highlight where exactly is the new structure that you are proposing?

A. (Mr. Bryner) The new structure, I'll highlight it in red, which is not great with these other red lines. But right there.

Q. Okay. And the existing line after attaching to that new structure continues east. That's correct?

A. (Mr. Bryner) The existing 46kV line --

BY MR. BORMAN:

Q. Yes.

A. (Mr. Bryner) -- would continue to the east, yes. Correct.

Q. Okay. And where is the -- I guess it's called the proposed circuit tie?

A. (Mr. Bryner) I would say the proposed circuit tie is that pole. It's literally, it's just where we're electrically connecting into our existing circuit.

MR. BORMAN: Okay. Those are my questions. Thank you.

CHMN STAFFORD: Thank you. Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

CHMN STAFFORD: Is that thing on?

MEMBER FANT: Now it is.

CHMN STAFFORD: It should light up if it's on.

MEMBER FANT: It will -- okay. Wait a second. Now it is. Thank you, Mr. Chair.

(Reporter clarification.)

MEMBER FANT: These are high tech inventions here.

CHMN STAFFORD: There's a delay from the button. You hit it, the green button comes on, then you start talking, then the microphone kicks on. If you hit the button again, because you didn't hear anything, the first word, and then you turn it back off.

MEMBER FANT: Thank you, sir.

Mr. Borman, so we talked a little bit about this on the side, but I just wanted to hear it publicly, so generally at least something, unless something unknown pops up, the City of Tucson is satisfied with the arrangement with TEP Co.

MR. BORMAN: I think that's a fair statement, yes.

MEMBER FANT: Okay. Thank you, sir.

CHMN STAFFORD: Ms. Grabel, I believe we are now -- Mr. Borman, that concludes your cross-examination on this issue?

MR. BORMAN: That was -- those are the questions I had.

CHMN STAFFORD: Excellent.

All right. Ms. Grabel, I guess we can proceed to biological resources for about another

10 minutes.

MS. GRABEL: Certainly, sir.

REDIRECT EXAMINATION

BY MS. GRABEL:

Q. So I think if we could go to Slide 57, and Ms. Darling, I think you're up to speak to the biological resources?

CHMN STAFFORD: All you need is a microphone now.

MS. DARLING: Thank you for the reminder. Let's make sure I'm on the right slide here. Okay.

There is too many buttons to push.

All right. So Sonoran conducted a biological evaluation in support of the project that entailed desktop review, field visits, and a special status species assessment and impact analysis.

A biological evaluation is most often used in preplanning permitting to identify sensitive areas and resources that should be considered in the planning siting process.

The first step in desktop review is to obtain information for the project area from relevant agencies. In this case, U.S. Fish and Wildlife Service and Arizona Game and Fish Department online tools were

accessed.

These tools generated lists of species that are known or may occur in the project area and any other known information these agencies may have such as the presence of wetlands.

Once these lists are obtained, they are reviewed against documented locations of critical habitat, wetlands, flood plains, riparian habitat and wildlife corridors. The biotic community vegetation types, soils and topography are also identified.

The second step is to conduct a field visit. A field visit entails driving where accessible all areas that are being considered and stopping to document what is actually present in the field. Observed plant and animal species, surface waters such as washes, and invasive species are documented, and changes in vegetation and areas of disturbance are noted.

Using all of the information obtained, the biologist then looks at each listed species and determines based on that species' needs whether or not it has the potential to occur in the project area.

It is important to note that in a biological evaluation, we are not doing presence/absence surveys for specific species. If a species has the potential to occur, it is assumed at this time in the

process that it may occur and that it may be affected or impacted by the project.

The biological evaluation which is Exhibit C-2 to the application, identifies those species that may occur for the Southwest Tucson Reliability Project, and I'll discuss further later in my testimony.

Once it is known what species may occur, then recommendations are made for future survey and environmental protection measures are developed that avoid or minimize impacts to these species in the event they do occur.

Once the biological evaluation is drafted, with this information it is then shared with U.S. Fish and Wildlife Service and Arizona Game and Fish Department for their concurrence and any additional input.

We then finalize the biological evaluation with all appropriate avoidance and mitigation measures which I will discuss further following my presentation on the species that may be present in the project area.

Sorry, I didn't advance the slide. My bad. Yeah, I passed that one. I'm not very good at, like, multi coordination. You rock.

This map shows the vegetation communities in the area of analysis. There are creosote, mixed Palo Verde, and riparian deciduous woodland communities

present. This information is important in the special status species assessment as certain species are dependent on specific vegetation communities.

However, it is also important to note that road right-of-ways and developed areas may no longer reflect the mapped components of these communities.

This map shows the biological wealth within the project area and area of analysis. The project is within a large wildlife corridor -- I don't know if you can do the -- within a large wildlife corridor that connects the Tucson Mountains to the San Xavier habitat block. The San Xavier habitat block connects with other habitat blocks located to the south.

These habitat blocks allow for wildlife and migratory bird movement from one area to another. The map also depicts the ephemeral washes and rivers within the area of analysis, which are also used for wildlife and migratory bird movement. Again, it is important to note that while there are large pockets of undeveloped land within the area of analysis, there are also major arterial roads, existing utilities and homes and businesses in varying densities.

So the special status species evaluation identified 18 special status species that could occur within the project area, 14 animal species and four plant

species.

Of those nine are listed as endangered, three threatened. There's one experimental population that's treated as threatened, one proposed threatened species and four other types of species including conservation candidate agreement, that's for the Sonoran desert tortoise as well as the Bald and Golden Eagle Protection Act, the bald and golden eagle, and priority vulnerable species which are listed in Pima County.

Five were found following the analysis to have the potential to occur. Pima pineapple cactus, which is an endangered species, Monarch butterfly, which is proposed threatened, bald and golden eagles, as I said, western burrowing owl, a priority vulnerable species, and Tumamoc Globeberry, also a priority vulnerable species and listed as salvage restricted by the Arizona Department of Agriculture.

There is also one species this is known to occur and be present within the project area and that's the Sonoran desert tortoise, which is the candidate conservation agreement and also a priority vulnerable species.

And as I stated previously, TEP did consult with U.S. Fish and Wildlife Service and the Arizona Game and Fish Department. Arizona Game and Fish

Department attended TEP's agency meetings and U.S. Fish and Wildlife Service attended the third agency meeting.

BY MS. GRABEL:

Q. Ms. Darling, did TEP send a project evaluation request to the Arizona Game and Fish department?

A. (Ms. Darling) Yes, we did.

Q. And is a copy of that document marked as Exhibit TEP-14?

A. (Ms. Darling) Yes, it is.

Q. Did TEP receive a response from the Arizona Game and Fish Department?

A. (Ms. Darling) Yes, we did.

Q. Is a copy of that response marked as Exhibit TEP-15?

A. (Ms. Darling) Yes, it is.

Q. Will you please generally describe what is in that response?

A. (Ms. Darling) Yes. Arizona Game and Fish Department in that response was responding to the evaluation request for the entire project area, and provided general environmental protection measures for the project.

Q. And did TEP continue to confer with the Arizona Game and Fish Department after that --

A. (Ms. Darling) Yes.

Q. -- response?
A. (Ms. Darling) Sorry. Yes, they did.
Q. And did those communications result in an updated response?
A. (Ms. Darling) Yes. Following the submittal of the draft biological evaluation to Arizona Game and Fish Department, they did respond a second time with additional -- are we on the right slide? -- yes -- additional construction mitigation measures in addition to what they had previously provided us.
Q. And is a copy of that document marked as Exhibit TEP-16?
A. (Ms. Darling) Yes, it is.
Q. Does TEP agree to incorporate the recommendations set forth in TEP-15 and 16 in its construction of this project?
A. (Mr. Bryner) Yes, we do.
Q. And, in fact, did TEP incorporate the Arizona Game and Fish Department's recommendations into Exhibit B of the proposed CEC which is marked as Exhibit TEP-13?
A. (Ms. Darling) Yes, they did.
Q. And Exhibit B to the proposed CEC is a list of all the environmental protection measures found in the CEC application; is that correct?
A. (Ms. Darling) Yes, that is correct.

Q. Did TEP also coordinate with the U.S. Fish and Wildlife Service regarding the project?

A. (Ms. Darling) Yes, they did.

Q. Did TEP receive a response from the U.S. Fish and Wildlife Service?

A. (Ms. Darling) Yes, they did.

Q. Is a copy of that marked as Exhibit TEP-18?

A. (Ms. Darling) Yes, it is.

Q. And will you please describe the response letter from the Fish and Wildlife Service?

A. (Ms. Darling) Sorry, I'm lost my place. They did. U.S. Fish and Wildlife Service indicated they reviewed the biological evaluation and TEP'S proposed environmental protection measures, and they indicated that they fully support and encourage the implementation of those proposed environmental protection measures.

Q. Thank you. Will you please maybe turn to the next slide, 63 --

CHMN STAFFORD: Before we do that, we're going to need to take a recess. I have to do another prehearing conference. I see Member Hill has some questions when we come back from probably about a 20-minute recess. We'll take up Member Hill's questions. With that we stand in recess.

(Recess from 3:54 p.m. to 4:39 p.m.)

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

I believe Member Hill was going to ask some questions about the environmental protection measures. Member Hill. Member Fant.

MEMBER FANT: Thank you, Mr. Chair. I have a question while we're waiting for Nicole.

MEMBER HILL: I'm here. I'm sorry. I stepped away to print some things so I could read them tonight out of the application. So anyway, can I ask questions?

CHMN STAFFORD: Please.

MEMBER HILL: Okay. Okay. Ms. Darling, I wanted to ask a couple of other questions. So as I understand it, Pima County's kind of unique in that they have, you know, within the county their own, like, a conservation land plan of some type.

So I see the consultation that you did with Game and Fish, and I see the consultation with the U.S. Fish and Wildlife service. But I do think that, like, in the plans that should be reviewed, there is some conservation planning that the county has done and that's unique across the state, like it's only Pima County as I understand it.

Can you talk about the context of that plan

and the project a little bit?

MS. DARLING: Yes. That is correct. And within the biological evaluation there is discussion of that plan. And those species are generally covered under the Arizona Game and Fish Department review tool, although we do also reference the Sonoran Desert Conservation Plan in our evaluation of potential impacts of the project.

So, for example, where you saw that I had indicated a species was a priority vulnerable species, that does come from that language that you're speaking to.

MEMBER HILL: So the conservation plan as I remember, I haven't looked at it in a long time, but it does identify not just species but habitat.

MS. DARLING: Yes, that's correct as well. Yes, and that's also discussed in -- I'm sorry.

CHMN STAFFORD: One at a time, please.

MEMBER HILL: No, sorry.

In the proposed environmental protection measures, there's specific species that are called out but there isn't, like, habitat discussion. So can you talk a little bit about the habitat pieces and the mitigation around that?

MS. DARLING: So the habitat specifically

is tied to the special status species that we're trying to protect within the project area.

So for the most part within the road right-of-way, very little of that mapped habitat is actually present. And you will probably see that in both the virtual tour as well as if you're able to attend the in-person tour.

So if you want a lot of specific details about which habitat types that are designated by the Sonoran Desert Conservation Plan, I would like to refer back to the biological evaluation if that's possible, because it has been, you know, a few months now and I don't want to make an error.

So I can either do that now or answer further tomorrow's testimony. I just don't want to say anything wrong.

MEMBER HILL: Yeah. So I looked through that section a little bit. There's an Exhibit H-2 that identifies some protected areas, and transmission is planned through there. And I haven't married up the map of what's existing and being -- you know, being energized differently because I think I'm not saying it -- the other term for it. What's being energized differently and what's new.

So you don't have to answer it today, but

it would be nice to walk through the -- I think it's Exhibit H-2 is what I'm looking at right now. It's on page 365 of the application.

MS. DARLING: Yes. I'm looking at it now as well.

MEMBER HILL: Conservation land systems. It does look like it goes through some areas that have attempted to be conserved by the county. I'm not sure what -- I'm curious if you even consulted with the County on that ownership if they're adjacent landowners. And how you kind of managed your mitigation measures around that area in particular.

MS. DARLING: Okay. I'm going to try and answer all of those questions. I do have that exhibit in front of me now.

Pima County did attend, I think all -- right, all of our agency meetings, and we had several different people present that were from the natural resources, parks and recreation department that were present. So they were aware of the project and all of that.

I did not consult directly with anyone outside of those agency meetings.

And then speaking to the conservation land system categories on that Exhibit H-2 that you were

speaking of, there's the multi-use management areas and the important riparian areas that are adjacent to mainly the Phase 1 new builds. So right there at the Mission Road and Drexel Road crossing, that intersection, we're just to the north of where that sort of important riparian habitat designation is shown, but not within it.

And as I said, you'll see in the tour both virtual, probably, and the in-person tour what that area looks like. So I'm not concerned with that, actually.

It's mapped as important riparian habitat but those habitat components are not there.

And then the other location is kind of at the south end of Westover Avenue as you're coming on to Valencia Road.

MEMBER HILL: So I'm -- Westover -- oh --

MS. DARLING: So if you follow Westover Avenue south to Valencia kind of you can see on the Tohono O'odham Nation that same important riparian habitat designation on the west -- or the east side -- I'm sorry -- of Westover.

And we're going to be on the west side of Westover and also in road right-of-way. And again, when you see where we're constructing -- where TEP is constructing that project in that new build area, that is not riparian habitat in that area that will be disturbed.

And then for the third location is at the far west end of Valencia as you're going to go north on South Camino Verde.

So in that area, that's where along Valencia there is no ground disturbance, no new construction or anything like that. That's just going to be energized at a different voltage.

And moving up Camino Verde, there's still a few little -- just to the north of Valencia, there's also some important riparian habitat designation in there. And on the west side there will be those -- a little bit of rebuild of those poles there. And, again, I think in the virtual tour and in-person tour you'll see that those are mapped there, but they aren't actually -- there isn't actually riparian habitat there that would be impacted.

MEMBER HILL: Okay.

MS. DARLING: So I think, and then with regard to the multiple use management areas, again, anywhere where that's designated appears that that's in an area where there's no new or rebuild even. It's all within where there's existing facilities that would not -- you know, there would be no ground disturbance or new construction or anything like that. Does that help?

MEMBER HILL: Great. That's helpful because I hadn't had a --

MS. DARLING: I'm sorry. Clark wants to add something.

MEMBER HILL: Clark, go ahead.

MR. BRYNER: Member Hill, thanks for your question. I just wanted to add I think Ms. Darling spoke to the practical applications of where these are located, with the relationship to our proposed route.

But I think one thing to remember is that the conservation land system within the Sonoran Desert Conservation Plan is really applicable when a private developer submits to rezone a piece of land or asks for some other sort of discretionary approval, none of which applies to our transmission line.

So it's there. It exists. We are running adjacent to it most of the time on existing facilities that are already there. But there's no actual permit to seek from the county.

MEMBER HILL: I did understand that. My impression was that these are -- it's almost like a mitigation bank is what I was thinking it kind of was. And maybe I'm wrong, but it is for developers to be able to do things and these lands are purchased to mitigate; right?

MR. BRYNER: So in some cases there are preserves within that conservation land system. But

there's other things like the multiple use management area that have different ratios. Like, let's say you want to develop something in there, then it requires that you have, you set aside, you know, 20 percent of the land for conservation, different things like that.

And so where a transmission line doesn't really fall under a development, there are no set aside requirements like that.

Now, if we were to cross a preserve or something like that, that is those lands that have been placed into conservation, if you remember back on our Santa Cruz North project, we were crossing one of those preserves.

So in order to do that, we had to go ahead and provide a five-to-one ratio of similar lands elsewhere to be placed into conservation. So that would be the case here if we were crossing a preserve. We are not proposing to cross any lands that are under conservation easement or in preservation.

MEMBER HILL: I think what's most helpful is because I was particularly interested in the westernmost part along the Camino Verde, and it sounds like that's already been built. So that's just being energized differently, but I had been able to marry up all the lines that way, so --

MR. BRYNER: Yeah, so on Valencia Road there and Camino Verde kind of where they come together on the north side of Valencia Road, that line has already been built there and on Camino Verde itself there's a 46kV line that we would replace essentially pole for pole.

MEMBER HILL: Okay. Great. And then my last question is just for the record, really, you confirmed that there's a May 18 letter and an October 2 letter that was updating the Game and Fish letter. Can you talk about what's different or what changed in those communications? Can you just characterize that?

MS. DARLING: Yes, so the first response was to the project evaluation form, which was for the entire project area. Which extended, you know, north of Ajo all the way down, you know, quite a ways south of Valencia, so it was a larger area that we were first looking at before we had any even alternatives identified. And so --

CHMN STAFFORD: And where is that found in the record, that response?

MS. DARLING: That's TEP-15.

CHMN STAFFORD: Okay. And then Member Hill, you're talking about another response?

MEMBER HILL: No, I'm talking about TEP-15

and I think it's the next one, then.

MS. DARLING: 16.

MEMBER HILL: 16.

MS. DARLING: Right.

MEMBER HILL: Exhibit 15 and 16. The difference in what --

MS. DARLING: Yeah, so their response to 15 was based on the entire project area. And then we submitted to them the draft biological evaluation report for their review.

And within it we had included environmental protection measures within the biological evaluation. So they were reviewing the BE, and the determinations that we recommended as well as our proposed environmental protection measures.

And then they responded with TEP-16, in which they recommended those additional -- I don't know if that's the slide showing for everyone -- these additional recommendations specific to construction, which is the guidance on protecting wildlife from trenches and large holes, moving wildlife encountered during construction out of harm's way.

Following wildlife-compatible fencing guidelines, if necessary, and then specific guidance on lighting to protect wildlife.

So those were four that we had not included in the biological evaluation, but are now within the proposed environmental protection measures.

MEMBER HILL: Okay. Great.

So the reason I was printing this is I wanted to marry up the biological evaluation recommendations and the Game and Fish stuff, and just make sure it's all here. So I'll do that tonight and if I have any other questions I'll let you guys know in the morning.

MS. DARLING: Wonderful. Thank you.

BY MS. GRABEL:

Q. Before we move on, may I clarify, Mr. Bryner, I believe that you talked about the -- were you talking about the SCR North project? Making the comparison?

A. (Mr. Bryner) Yes, I referenced that project.

Q. And I believe you may have said that it was a TEP project?

A. (Mr. Bryner) I may have. If so, that was a slip-up. That was a UNS Electric project.

MS. GRABEL: Thank you very much. Just wanted to clarify for the record.

MEMBER HILL: Thanks, guys.

CHMN STAFFORD: You did say Santa Cruz, did you not?

MR. BRYNER: Yes, I did.

CHMN STAFFORD: Okay. I heard that and assumed UNS.

MS. GRABEL: All right. Are there any further questions?

CHMN STAFFORD: Member Little? Nope.

BY MS. GRABEL:

Q. Okay. So let's go ahead and move on to Slide 63, Ms. Darling, and also look at Exhibit B to the proposed form of CEC which is in Exhibit 13, and if you could just sort of walk through generally the mitigation measures to which TEP has committed.

A. (Ms. Darling) Yes, thank you. So Exhibit B lists TEP's proposed environmental protection measures for the project.

TEP has developed standard protection measures such as implementing storm water pollution and spill protection plans, minimizing vegetation and ground disturbance, providing construction period monitors in areas of sensitive species, implementing worker environmental awareness training, obtaining required permits from the Arizona Department of Agriculture prior to vegetation removal, and the additional construction measures provided by Arizona Game and Fish Department that we just discussed.

Measures were also developed to prevent the introduction or spread of invasive plant species as well as species-specific measures for Sonoran desert tortoise, western burrowing owl, migratory birds including bald and golden eagles, Monarch butterflies and Pima pineapple cactus.

TEP will coordinate with the Arizona Game and Fish Department to determine whether western burrowing owl surveys are necessary, and they will follow any additional requirements that the Arizona Game and Fish department may have if that species is present.

Nest surveys will be conducted if construction is to take place during general breeding season and preconstruction surveys for Sonoran desert tortoise will be conducted and construction monitoring provided if determined necessary.

For Monarch butterflies, the removal of flowering plants will be minimized. And lastly, for Pima pineapple cactus, preconstruction surveys will be completed in all areas where ground disturbance is to occur or vehicles will travel off road in the right-of-way. Buffers will be established around any Pima pineapple cactus that are located.

Exhibit B to TEP-13 does provide the complete list of environmental protection measures that will be

implemented for the project.

Q. Thank you. Please move on to Slide 64.

A. (Ms. Darling) All right.

CHMN STAFFORD: It's getting close to five o'clock. Before we start on the cultural resources I think it's time to discuss the tour. I believe we have a tour planned for tomorrow morning.

MS. GRABEL: We do, yes.

CHMN STAFFORD: All right. And let's see, the itinerary is, what, Exhibit TEP-8?

MS. GRABEL: It is. Although Mr. Bryner actually tried to drive that tour route yesterday or the day before, and it looked because of all the rain some of the areas were flooded and so we needed to revise the tour, so if we decide, if y'all vote to take the tour, we'll probably need to look at a different document.

CHMN STAFFORD: Okay. Well, I'm looking at the members, I think we'll probably want to do a tour. I thought -- it was going to be an hour and a half, I thought this was going to be a short tour.

MS. GRABEL: It's a short tour, I mean, right, Mr. Bryner?

MR. BRYNER: Yes, it will still be a short tour, it's still straightforward, we were planning to go down some dirt roads. With all the rains they were a

little bit more flooded than I would like to take a bus through. And so we rerouted it to stick with paved roads. So we'll still see almost everything that we were going to see. It's just a slightly different route.

CHMN STAFFORD: Okay. And that is -- did you have an updated itinerary or just --

MS. GRABEL: We do. Mr. Ancharski is handing it out right now. It will be probably be Exhibit TEP-25.

CHMN STAFFORD: Okay.

MS. GRABEL: And we will get this docketed for the benefit of those who are not here in person.

CHMN STAFFORD: All right. No narration this time; correct?

MS. GRABEL: That's correct. We'll do no narration on the bus, we will only speak when we are at the stops and try to help you guys remember what you saw when we were driving.

CHMN STAFFORD: All right. We have three stops on the tour.

MR. BRYNER: That's correct.

CHMN STAFFORD: Okay.

MEMBER MERCER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Mercer.

MEMBER MERCER: Can we see the virtual tour

and then decide if we want to do the --

MR. BRYNER: At your pleasure. I'm happy to show it.

CHMN STAFFORD: I think I still want to see it because we keep looking at the existing lines, and what's going -- I think I want to go out there even regardless of the virtual tour, I'm still going to want to do an actual tour.

MEMBER MERCER: You're the boss.

CHMN STAFFORD: All right. So we can -- we don't have to kick the virtual tour off right now. It's now five o'clock. We have public comment at 5:30. Has anybody signed up besides the one gentleman who was here earlier?

MS. GRABEL: I don't believe anyone is here in person. I don't know if anyone has signed up to speak online.

CHMN STAFFORD: Okay. I need to get my tablet here that shows the Hollywood squares of the meeting, it's super dim, and I can hardly tell if people have their hand up or not. It's like almost dead, but it's -- now it's pretty dim.

MS. GRABEL: I think Member Little has their hand up.

CHMN STAFFORD: I thought so before too I

called on her but she -- then I could see her shaking her head, see, it's really faded.

MS. GRABEL: Well, now it went away.

CHMN STAFFORD: While we address these technical issues let's go ahead and take a recess. We'll come back at 5:30 for public comment. We will stay here until at least six o'clock to allow the public the opportunity to comment.

And if they do not then we will recess at six and come back at nine in the morning. We'll meet here before the tour and wherever the tour begins, in the park -- we'll go to the front parking lot here.

MS. GRABEL: I'm going to ask Mr. Bryner to answer that.

MR. BRYNER: Yeah, the bus will be in the roundabout in the parking lot just on the west side of the building here. We'll leave from there, proceed down to the Midvale Substation and go along with our tour.

CHMN STAFFORD: Okay. Anything else from members before we recess before public comment?

MS. GRABEL: Real quickly, Mr. Chairman, we do plan to have coffee and pastries in here in the morning if you want breakfast here.

CHMN STAFFORD: Coffee for sure.

MS. GRABEL: Okay. If you want to come at

8:30.

CHMN STAFFORD: That would be great. We won't go on the record till nine, but we'll --

MS. GRABEL: That's great. Eat.

CHMN STAFFORD: I'll be here before that for coffee. So, all right, any other questions or brief comments from members? All right -- Member Fant.

MEMBER FANT: Can I go to the question I started earlier before Member Hill came back.

Bats. Let's talk about bats. Lesser long nose bats and Mexican long nose bats, which of course migrate north and south. I think they migrate north and south during the year. Is that an issue out here?

MS. DARLING: Let me refer to the BE, please. Sorry. It's been a while since I've looked at it.

Member Fant, so neither of those species were identified in the Arizona Game and Fish Department or Fish and Wildlife Service tool, so they were not assessed for the project.

MEMBER FANT: Thank you.

CHMN STAFFORD: All right. Anything further from members? Ms. Grabel.

MS. GRABEL: Not now, thank you, Mr. Chairman.

CHMN STAFFORD: All right. With that, we stand in recess until 5:30.

(Recess from 5:04 p.m. to 5:30 p.m.)

CHMN STAFFORD: Now is the time set for the public comment for line siting case 269. We had one public comment earlier. We have a Mr. Arnie Bermudez signed in. Do you wish to speak?

(No audible response.)

CHMN STAFFORD: It appears he's no longer here. Do we have anyone online or on the phone who wishes to give public comment?

(No audible response.)

CHMN STAFFORD: It appears not. We will remain here until six o'clock to allow the public the opportunity to make comments, but in the meantime let's go off the record and wait for them to come on and we will go back on the record and take their comments.

(Recess from 5:31 p.m. to 6:00 p.m.)

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

It is now six o'clock. And no members of the public have shown up to make comment. Last call is anyone on the line or on the Webex wanting to make comment? If you're -- is it star --

MS. GRABEL: 6.

CHMN STAFFORD: Star 69 to unmute.

MS. GRABEL: Star 6.

CHMN STAFFORD: Star 6. Anybody wishes to make comment?

(No audible response.)

CHMN STAFFORD: Hearing none, with that we will recess until nine a.m. tomorrow morning. We'll meet back in this room and then we'll go on the record and the applicant can explain any kind of safety protocols and what to expect for the tour, at which point we will go get on the bus which will be in the roundabout out front and then we'll commence the tour. It's supposed to take an hour and a half.

MS. GRABEL: Yes.

CHMN STAFFORD: Excellent. All right. Anything further?

(No audible response.)

CHMN STAFFORD: With that, we stand in recess.

(Proceedings recessed at 6:01 p.m.)

STATE OF ARIZONA)
)
COUNTY OF MARICOPA)

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

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

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

Dated at Phoenix, Arizona, November 9, 2026.



JENNIFER HONN, RPR
Arizona Certified Reporter
No. 50885

I CERTIFY that GLENNIE REPORTING SERVICES, LLC, has complied with the ethical obligations set forth in ACJA 7-206(J)(1)(



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