BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE — LS-539

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 5, 2026

Filed: November 10, 2026

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME II
(Pages 123 through 279)

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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 9:04 a.m. on November 5, 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

APPEARANCES:

For the Applicant:

Meghan H. Grabel
Eli Ancharski
Nicole Layton
OSBORN MALEDON
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Phoenix, Arizona 85012

and

Megan Hill
Samantha Egan
Tucson Electric Power Company
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Tucson, Arizona 85702

APPEARANCES (continued):

For City of Tucson:

Bradford Borman
CITY ATTORNEY
P.O. Box 27210
Tucson, Arizona 85726

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

Ms. Grabel, you're going to have Mr. Bryner give us an overview of the tour before we embark on the tour.

MS. GRABEL: I am. Thank you, Mr. Chairman. Mr. Bryner, would you like to walk through Exhibit 25, maybe give a safety briefing?

MR. BRYNER: Sure. Can you guys hear me? Okay.

CHMN STAFFORD: Yes.

MR. BRYNER: First of all, today should be a beautiful day, perfect day for a tour, shouldn't be too hot out there, in fact it might be a little bit chilly this morning.

Nonetheless, it will be sunny. So I would wear a hat if you have the same hairstyle as me, or, otherwise, we do have some sunscreen in the back of the room by the coffee back there, so please, please grab that and put some on if you like. We shouldn't be out in the sun too much, probably a few minutes at three different stops.

But probably the two biggest hazards that I wanted to point out, at stop number 1 which I'll go over in just a second. Stop number 1 will be on Drexel Road,

which is somewhat busy. So we're just going to be pulling off to the side, we'll keep the bus between us and the substation. That will be at the Midvale Substation. So just when you're there don't wander out into traffic. We'll be plenty safe.

The other thing would be every one of our stops will be on dirt for those stops, they're just uneven terrain, just watching your footing. Hopefully you have decent shoes, but if you have some fancy-looking shoes, you may not want to trounce around too much and be extra careful of your steps.

So just a quick overview. We'll leave from here. The bus is down in the parking lot out front. It will be about a 10-minute drive from here down to the Midvale Substation. From there, we'll essentially follow Route 1 -- sorry, Phase 1 of the route, to the Tucson Estates Substation site which we'll stop there as well for our second stop.

And then we'll essentially follow Phase 2 back down along Ajo Highway, down Camino Verde and then down Valencia to the proposed circuit stack tie where we'll make our third stop and have a chance to just look and talk about that.

So I know we won't have any narration on this tour, so I'll try to at each stop kind of give you

an overview what we'll see between that and the next and then you'll have an opportunity to ask your questions.

One last bit of -- I guess two last bits of logistical information. We do have snacks, water, Gatorade in the bus. We don't have any bathroom. So if you need to use the restroom, I would recommend you do it before you jump on the bus.

In total, we should be gone no more than an hour and a half. That's all I've got to say.

CHMN STAFFORD: Thank you. I remind the members that, you know, this is an open meeting so don't ask any questions of the applicant on the bus. Wait till you get to the stop. If a question pops in your head en route, jot it down, hold on to it in your head, but don't ask until we get to the stop so it's on the record before the court reporter.

What witnesses will you have at the stops, Ms. Grabel?

MS. GRABEL: You will have Mr. Bryner speaking primarily. We'll also have all of our other witnesses available if they need to have them.

CHMN STAFFORD: One of them haven't been sworn yet, so --

MS. GRABEL: I don't believe Ms. Vining will be speaking at the tour. She's mostly talking about

public outreach.

CHMN STAFFORD: All right. Because Ms. Darling and Mr. Bryner have been sworn, so they're available as witnesses at stops, then.

MS. GRABEL: Correct.

CHMN STAFFORD: Okay. And then I guess, Mr. Borman, when we get there you will be able to ask some questions, too, if you would like. Just please let me know, make sure the court reporter can see you, and then she'll be able to hear what you say and transcribe it.

MR. BORMAN: Thank you. I will do my best to remember that.

CHMN STAFFORD: All right. Anything from members?

(No audible response.)

CHMN STAFFORD: All right, with that -- oh, yes, Member DiCiccio?

MEMBER DICICCIO: Very quick question. Very quick. So maybe around 11:30? I'm just trying to estimate my time, is all.

MS. GRABEL: I would say 10:30. 10:30, 10:45.

MEMBER DICICCIO: 10:30?

MS. GRABEL: Clark, what do you think?

MEMBER DICICCIO: Oh.

MR. BRYNER: Yeah, I would be blown away if we were past that. 11 o'clock, dead latest.

CHMN STAFFORD: If we're not back here by 11 o'clock, send help because something went wrong.

MEMBER DICICCIO: I'll be happy to do that.

CHMN STAFFORD: All right. Well, we can -- someone can send you a text, too, when we're on our way back to the hearing room. So, because I know there's a number of members that are online that won't be with us on the tour, but they'll want to come back when we get back to the hearing room to ask their questions and see the rest of the presentation.

All right. Anything further?

(No audible response.)

CHMN STAFFORD: All right. Let's go off the record and get on the bus.

(TIME NOTED: 9:09 a.m.)

(Beginning of route tour.)

(TIME NOTED: 9:32 a.m.)

(Arrival at Stop No. 1.)

CHMN STAFFORD: Let's go back on the record. We are now at stop 1, outside the existing Midvale Substation.

Ms. Grabel, you're going to have Mr. Bryner explain what we're looking at here?

MS. GRABEL: That's correct. Thank you.

MR. BRYNER: Thank you, Chairman Stafford. So we're at the Midvale Substation. So we will tie in here and begin Phase 1 of the project. If I can just point out a couple of things just to the east of us if you see the painted poles coming into the substation, those are the existing lines that serve the Midvale Substation today.

If you look to my right to the west down Mission Road -- or sorry, down towards Mission Road, that's the direction we're going to travel, so this is where Phase 1 will travel along Drexel Road over to Westover, and then it will cut south to Valencia Road, so couple things that we're going to see, just to the south of the road here, this is where the San Xavier district of the Tohono O'odham Nation is located.

You'll see the remnant of the swap meet on the south side, you'll see residences on the north side, so that's the area that we're closest to homes.

As we go down Westover you'll notice off of the right-hand side of the bus, the natural area that we talked about, it has the El Paso natural gas pipeline. We would be going adjacent to the road there with that

pipeline and that national area separating our line from the residences that are further off.

CHMN STAFFORD: There's a gas line there, too.

MR. BRYNER: There's a gas line adjacent to Westover, yes.

CHMN STAFFORD: Okay.

MR. BRYNER: I want to point out once we hit Valencia Road, which will be the main road that we get to, the existing line that we plan to use, not do anything to, will be located on the south side or the left-hand side of the bus as we travel, so take a look at that.

And we will deviate from the route of Phase 1 before we get to Spencer Avenue, because of -- it's a dirt road and it wasn't passable. So we'll be taking Mark Road. It turns into Joseph Avenue. So when we jump off on that, note that that is not the route that we're proposing, but we will get back to the route just before stop 2.

CHMN STAFFORD: Spencer Avenue was dirt road, you said?

MR. BRYNER: It is, yes.

CHMN STAFFORD: All right. Any questions from members? Member Fant.

MEMBER FANT: Thank you, Mr. Chair. This substation remains the same or be rebuilt or torn down?

MR. BRYNER: The Midvale Substation has a position open, so that we can connect into it. There will be no -- we do have to add a couple of breakers.

MEMBER FANT: But otherwise substation remains the same.

MR. BRYNER: Correct.

MEMBER FANT: Okay. Thanks.

CHMN STAFFORD: So this is where the new construction will be. Correct?

MR. BRYNER: Correct, yes. Along Drexel Road right here, this is one -- along Drexel Road and along Westover Avenue. New construction.

CHMN STAFFORD: So I'm looking the right way here. So we're there, and then it will go east -- west on Drexel Road and then you'll head south on Westover, which this is Mission Road we can see from here.

MR. BRYNER: That's correct, and along Mission Road you can see, the line you see along Mission that's a 46kV line. That would remain.

CHMN STAFFORD: Okay. Mr. Borman, do you have any questions?

MR. BORMAN: I do not. No questions.

CHMN STAFFORD: Anything further from members? Oh wait, yes, so your line would be on the east -- hang on. On the north or south side of the road here on Drexel.

MR. BRYNER: Yes, so the corridor we're requesting would be 300 feet wide to allow us to go on either side. We're proposing to go on the north side and that's primarily because the south side is on the Tohono O'odham Nation, and just from a permitting standpoint it's easier to avoid that.

CHMN STAFFORD: So I guess when you get to Westover you'll be looking to go on the west side of that road.

MR. BRYNER: That's correct, for the same reason.

CHMN STAFFORD: All right. Thank you. Anything further?

(No audible response.)

CHMN STAFFORD: Let's go off the record and get back on the bus.

(TIME NOTED: 9:37 a.m.)

(Conclusion of Stop No. 1.)

(TIME NOTED: 9:59 a.m.)

(Arrival at Stop No. 2.)

CHMN STAFFORD: Let's go back on the record. We are now at stop 2. Mr. Bryner, can you orient us to what we're looking at here?

MR. BRYNER: Sure thing. So just to the north of us, if you look the direction I'm pointing, that's north. If you look at the yellow A-frame structures, that's the Black Mountain Substation. The line going into it, that's the existing WAPA 115kV line running north-south, so if you look directly behind us that's the line coming in from Valencia Road.

And if you look to the west, the direction I'm pointing now, you can see another line coming out of that, that's another WAPA 115kV line.

So both of those lines, those provide looped service to the Black Mountain Substation today that services the CAP canal. So our Tucson Estates Substation would be located sort of at the intersection of those two lines in that northwest corner.

And one last thing to orient you to, to the southeast of us that's Sunset Acres, they're a residential subdivision we're closest to. Mike, the gentleman who provided public comment, who's here with us, his area is about a mile south of this.

MR. HROMIDKO: About a mile southward of where the sign is that I showed you a photo of. It's

kind of hard to see.

MR. BRYNER: So, yeah, about a mile to the south and a little bit to the west.

CHMN STAFFORD: All right. So this line that we're standing under now, this is the WAPA line?

MR. BRYNER: That's correct.

CHMN STAFFORD: And is it currently energized or not.

MR. BRYNER: This is energized at 115kV.

CHMN STAFFORD: And so you're just going to convert this to 138?

MR. BRYNER: So here we would not convert it, that line would remain energized. We would add a second circuit on these existing structures that would be energized at 138kv.

CHMN STAFFORD: Okay. Any questions from members? Member Fant.

MEMBER FANT: What's the size of the WAPA substation back here?

MR. BRYNER: The Black Mountain Substation, the footprint?

MEMBER FANT: Or not size, I'm sorry. The voltage.

MR. BRYNER: 115kV. I don't know what the -- I don't know what the load site is. Sorry.

MEMBER FANT: Thanks.
CHMN STAFFORD: That's one that serves the pumping station for the cap.
MR. BRYNER: That's correct.
CHMN STAFFORD: Member Fant again.
MEMBER FANT: Yeah. Will you need to do upgrades there also or just put your own substation, wherever, adjacent or whatever.
MR. BRYNER: The Tucson Estates Substation will be completely independent of their facility.
MEMBER FANT: Okay.
CHMN STAFFORD: All right. Any questions from the City of Tucson.
MR. BORMAN: I have no questions. Thank you.
CHMN STAFFORD: So what's -- on the map now, how far are we from where the substation will be located?
MR. BRYNER: We are probably three, 400 feet. So it will be located about 100 or 200 feet to the north of the east-west running WAPA 115kV line, and a couple hundred feet to the west of the north-south running WAPA 115kV line.
CHMN STAFFORD: Okay. So you're going to add a second circuit to these poles that we're looking at

here. It looks like there's two circuits going north from that pole that we're -- just directly north of us.

MR. BRYNER: That's correct. So the two circuits, that's the loop running in and out of the Black Mountain Substation. So at the structure just to the south of where we're at, that would be the last structure where we would be collocated, and then we'll have to deviate to a second structure that would run parallel to this one and cross over the top of the east-west running WAPA 115kV line.

CHMN STAFFORD: Okay. Into the substation, so it will be to the west of this line.

MR. BRYNER: That's correct. That's correct.

CHMN STAFFORD: Okay. Anything further?

MR. BRYNER: Can I orient you on the next?

CHMN STAFFORD: Oh, yes. Please, Mr. Bryner.

MR. BRYNER: Okay. So from here we're going to go out, we'll do a little bit of circuitous navigating for about a mile to get us onto Ajo Highway. We'll be traveling west along Ajo Highway, take a look, you'll notice the yellow A-frame structures at the Black Mountain substation.

When you see those that's kind of your

indicator that from now on let me pay attention, we're back on Phase 2, and as we travel along Ajo Highway, Phase 2 would run on the south side or the left-hand side of the bus until we get to Camino Verde.

We'll turn left on Camino Verde going south and when we get to that point, off to the right-hand side or -- of the bus, you'll notice the existing 46kV line. So that 46kV line we would rebuild on steel poles that would be just slightly taller than the existing poles that are today running all the way to Valencia.

Once we get to Valencia we do have to do a little loop-dee-loop maneuver because of construction doing on there, but then we'll be heading east on Valencia Road. The line at that point, the existing line that -- at that point is energized at 46kV, but built to a 138kv standard. We wouldn't touch. But it will be located on the northerly side of the road.

Once we get to Spencer Avenue, which you'll know we're there because we'll arrive at Casino del Sol on the right-hand side of the bus as we're traveling through this, and you'll also see the line that we're standing under running north.

So from that point, we've seen a lot of that already, but we'll be going down Valencia Road. You'll have the existing line either on the left side or

crossing over to the south side once we hit Camino de Oeste, and we'll go that all the way to the proposed circuit tie and there we'll be able to discuss some more.

CHMN STAFFORD: Okay. And so then the new -- the other portion of the line that is going to be new build is from the new Tucson Estates Substation to Camino Verde Road.

MR. BRYNER: Correct. So along Ajo Highway, more or less along Ajo Highway.

CHMN STAFFORD: Okay. Thank you. We're not taking public comment at this point. This is just for sworn witnesses to testify. You can ask them off the record anything you want. But not on the record. All right. So now let's go off the record and get back on the bus and head to stop 3.

(TIME NOTED: 10:06 a.m.)

(Conclusion of Stop No. 2.)

(TIME NOTED: 10:41 a.m.)

(Arrival at Stop No. 3.)

CHMN STAFFORD: Let's go back on the record. We are now at stop 3.

Mr. Bryner.

MR. BRYNER: Okay. So this is our final stop. What we're looking at right here, this is the

location of where we're calling the proposed circuit tie. Now, I think maybe we need to work on a new name for that because that can maybe be something that's construed differently.

Literally what that is is we're putting a pole in where these -- where the line running east-west intersects with the line running north-south, and then we're going to connect the wires that are running right above us to the wires that are running east-west. So that's where the proposed circuit tie is, is a pole right there.

CHMN STAFFORD: Okay. So this line here is what, this is a 138?

MR. BRYNER: This is, the north-south running line is a 138kv line. It's the one that is our Midvale to South circuit today, so it will become our Tucson Estates to South circuit.

The crossing over Valencia that runs north-south, that will be removed because the wires will terminate on this new pole. And then also as we look a little bit to our east, the wires will no longer be needed, the wires that are on the north side of the poles running east-west will no longer be needed and so that crossing of Valencia Road will be removed.

CHMN STAFFORD: Okay. Now, coming down

Valencia Road, I saw two sets of poles, two sets of poles, one on either side of the street. Which ones are which?

MR. BRYNER: So the poles on the north side, the ones that are in the painted, it looks yellow, those are double-circuit 138kv lines operated by TEP. One is our Drexel to Midvale circuit, one is the Midvale to South circuit. So the Midvale to South circuit, about half of that circuit will be commandeered by this project and reconfigured to become the Tucson Estates to South circuit. The other piece will be retained for some potential future use.

CHMN STAFFORD: What's the one on the south side?

MR. BRYNER: Thank you. On the south side is the WAPA 115kV line, and the TEP 46kV line. So specifically as we look at those, the circuit on the north side of the pole on the south side of Valencia Road is the WAPA 115kV circuit, the circuit on the south side is the TEP 46kV circuit. As we look at those you can tell they look identical. It's because they were both built to a 138kv standard back in the early '90s.

CHMN STAFFORD: Okay. So the 46kV that you're going to turn that into 138kv and that's going to be Phase 2.

MR. BRYNER: In this stretch the 46kV will remain. The 115kV would be converted and energized to a 138. But that transitions further down Valencia when both the 46 and the 115 would become 138kv circuits.

CHMN STAFFORD: Okay. Any questions from members?

(No audible response.)

CHMN STAFFORD: Mr. Borman.

MR. BORMAN: Yes, I do. Thank you, yes, I do have one or two quick questions. Are we standing basically right underneath where the new pole is going to be?

MR. BRYNER: I would say, do you see the retention wall --

MR. BORMAN: Yes.

MR. BRYNER: -- adjacent to Valencia? I would say the pole would go right there.

MR. BORMAN: Okay. Okay. And this line, this east-west line will continue going through that pole; correct?

MR. BRYNER: A single-circuit 46kV line will continue. What is the 115kV line today will terminate at that pole.

MR. BORMAN: Okay. And that's a TEP line?

MR. BRYNER: Today it's a WAPA line. We're

hoping to buy that line at auction.

MR. BORMAN: Okay. And then this north-south line will continue as well; correct?

MR. BRYNER: It will continue to Valencia Road. The crossing of Valencia will no longer continue, because electrically it won't be connected anymore. So there will be no overhead crossing at Valencia right here, but the circuit north of Valencia running further north to our Drexel Substation, that will remain, and the circuit running south of Valencia to our South Substation will remain.

MR. BORMAN: Okay. And now I see just to our east, maybe 75 yards east, I see two poles, one on the north side of the Valencia, one on the south aside.

MR. BRYNER: That's correct.

MR. BORMAN: Okay. Are both those poles going to remain or is one going to remain?

MR. BRYNER: Both of those poles will remain, but the wires on the sort of the north side or the west side would be removed on that crossing.

MR. BORMAN: Okay. Thank. You those are all my questions. Thank you very much.

CHMN STAFFORD: So there'll be no conductors between those two structures? Or just one set?

MR. BRYNER: Just one set of conductors. The 46kV circuit needs to remain in service.

CHMN STAFFORD: And then you won't have -- the conductors will not cross Valencia at this point where we're standing under the existing --

(Reporter clarification.)

CHMN STAFFORD: We're standing under this existing 138kv line; correct?

MR. BRYNER: Correct.

CHMN STAFFORD: And it will not, this line won't cross Valencia Road at the end of the project?

MR. BRYNER: Correct.

CHMN STAFFORD: Okay. But only -- and only one of those will.

MR. BRYNER: Correct.

CHMN STAFFORD: Okay. So those are the three crossings. Two are going to be eliminated; one will remain, the 46kV.

MR. BRYNER: Yes.

CHMN STAFFORD: Okay. Anything else from members?

Mr. Borman, you were done?

MR. BORMAN: I think -- yeah, I think I understand.

CHMN STAFFORD: All right.

MR. BORMAN: Thank you.

CHMN STAFFORD: All right. With that let's go off the record and get back on the bus and head back to the hearing room.

(TIME NOTED: 10:48 a.m.)

(Conclusion of Stop No. 3.)

(The tour concluded at 11:05 a.m.)

(The hearing resumed at 11:20 a.m.)

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

We're back from the tour. Ms. Grabel, I believe Panel 2 was still on the stand and you were about to address biological resources.

MS. GRABEL: We were.

CLARK BRYNER and RENEE DARLING (continued), 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:

REDIRECT EXAMINATION (continued)

BY MS. GRABEL:

Q. Prior to -- I think we were about to address

cultural resources, actually.

But before doing that I believe Ms. Darling had a correction that she gave in response to Member Fant's question about the bat population.

So, Ms. Darling, is that something that you'd like to do now?

A. (Ms. Darling) Yes, thank you. All right. Thank you, yes.

I would like to clarify my response to Member Fant's question yesterday regarding the lesser long-nosed bat. While the species was delisted by the U.S. Fish and Wildlife Service in 2018, it is a BLM-sensitive species, and an Arizona Game and Fish Department species of greatest conservation need.

Arizona Game and Fish does document it as occurring within three miles of the project area. Lesser long-nosed bats are reliant on nectar from columnar cacti and agaves. On the tour I'm sure you saw a lot of Saguaros on and around the Tucson mountains.

But hopefully you were also able to note that in new build area along Drexel and Westover there are no Saguaros in the right-of-way, and along Ajo Highway and south of the drainage canal where the second area of new construction is that you also noticed the cleared road right-of-way as well as the cleared swath on either side

of the canal which is mainly creosote bush, likely a result of constructing the canal.

Also along the area where the existing 46kV would be rebuilt, the right-of-way is previously disturbed and there are no foraging plants present. Therefore the areas where ground disturbance will occur do not contain foraging plants.

I wanted to also furthermore say that neither U.S. Fish and Wildlife Service or Arizona Game and Fish Department brought this species up during coordination with them or in their review letters.

Thank you.

CHMN STAFFORD: Thank you. Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

And I thank you for that. Because there's a spectacular number of Saguaros out there. On the south sides of the mountains, anyway. So, and then you've got the craggy mountains which probably have lots of rocks and crevices which are perfect hiding places, I'm sure there's caves all over the place up there for bats because long-nosed bats like caves. They don't hang in trees.

So I appreciate you saying that. And there's -- I mean the bats obviously can avoid transmission lines. But if you can avoid removing

Saguaros, that helps the bats. So, thanks.

MS. DARLING: Thank you.

MS. GRABEL: Okay. Thank you. Do we want to move on to Slide 64.

BY MS. GRABEL:

Q. Go ahead, Ms. Darling, with your cultural resources.

A. (Ms. Darling) Sonoran subcontracted Chronicle Heritage to complete a Class 1 literature review for the project. This is a preplanning desktop analysis that documents known previous cultural resources surveys, sites, and historic properties.

Chronicle conducted a records and literature search using industry standard sources, including as listed on Slide 64 the online AZ site database, the National Register Information System, NRIS database, Arizona State Museum Archeological Records Office database, Arizona State Historic Preservation Office records, General Land Office plats, historic USGS topographic maps, and historical aerial imagery.

This search identified 137 previous cultural resource investigations have been conducted within the area of potential effect, 55 of which intersect with the project.

The review also identified 41 previously

recorded archaeological sites occur within the area of potential effect, six of which intersect with the project.

Note that no National Register listed sites or locally designated historic districts, neighborhoods, or historic buildings were identified in the area of potential effect.

The Class 1 report was provided to the Tribes who claim affiliation within the project area as well as to Pima County and City of Tucson.

Chronicle Heritage recommended in their findings that a Class 3 survey of all portions of the area of potential effect subject to direct effects be surveyed, and that structures and other ground-disturbing activities be designed and constructed to avoid any eligible properties that are identified in the Class 3 survey.

This slide shows the area of those previous surveys in the brown hatched lines as well as the locations of the City of Tucson archaeological sensitivity zone, and the Juan Bautista de Anza National Historic Trail in relationship to the project.

CHMN STAFFORD: We're looking at Slide 65?

MS. DARLING: Yes, Chairman.

So the State Historic Preservation Office,

Pima County, City of Tucson, tribes, and the National Park Service were all invited to the three agency briefings and consulted throughout the siting process.

BY MS. GRABEL:

Q. To Ms. Darling, of those agencies which responded to TEP's outreach?

A. (Ms. Darling) The SHPO did review the -- well, they attended all of the agency meetings and they also reviewed the Class 1 report and concurred with Chronicle's findings and recommendations that I stated previously.

They went on to say that -- sorry, I'm skipping ahead -- that they do not require that the Class 3 survey be in areas that are paved, graveled, or where the ground surface is substantially obscured.

And then we also received a concurrence from the Yavapai Apache Nation, and we also received responses from the Tohono O'odham Nation and the Pascua Yaqui Tribe, both of which have lands in our area analysis. And they responded with no comments on the Class 1 report with an assumption that Tucson Electric Power would continue to work with them once the Class 3 survey and report were completed.

CHMN STAFFORD: Member Little, you have a question?

MEMBER LITTLE: I do, Mr. Chairman.
Was the letter from SHPO included in the application? I didn't see it.
CHMN STAFFORD: I believe it's in --
MEMBER LITTLE: Or is it in another exhibit?
CHMN STAFFORD: I believe it's Exhibit TEP-1; is that correct?
MS. GRABEL: Just about to get there, yes.
MEMBER LITTLE: Oh, okay. Thanks very much.
CHMN STAFFORD: Is that in the next slide?
MS. GRABEL: I'm actually -- it was going to be in this slide, so I might as well just get them done with, if that's okay.
BY MS. GRABEL:
Q. So you note on this slide that the response from the tribal entities are included in the CEC application as Exhibit JH; correct, Ms. Darling?
A. (Ms. Darling) Yes.
Q. And as we've just discussed, did TEP send a letter to the State Historic Preservation Office with a copy of its Class 1 cultural study?
A. (Ms. Darling) Clark e-mailed it to them.
Q. Okay. So yes, they received it?

A. (Ms. Darling) Yes, they received it.
Q. And the letter from TEP is what's marked as TEP-17; correct?
A. (Ms. Darling) That is correct.
Q. Has TEP received a response from the SHPO?
A. (Ms. Darling) Let me clarify. I apologize. It is both their response and the letter that Clark sent.
Q. Thank you. So both the response and the letter from TEP are contained in TEP-17?
A. (Ms. Darling) That is correct.
Q. And I believe you described SHPO's response. Is there anything else you'd like to note about it?
A. (Ms. Darling) No.
Q. Okay. And then did you have any other responses resulting from your agency coordination?
A. (Ms. Darling) Yes. So we also received from the Yavapai Apache Nation a response that they concurred with the Class 1 findings. And then we received e-mails from Tohono O'odham Nation and Pascua Yaqui Tribe that they had reviewed the Class 1 report. They had no comments, but they, you know, wanted to continue to work with Tucson Electric Power once the Class 3 survey and report were completed.
Q. Thank you. And what about the Juan Bautista de Anza National Historic Trail?

A. (Ms. Darling) Yes. So throughout the process, early on the National Park Service attended all of the agency meetings and they had provided us a letter expressing their concern that the transmission line would degrade the experience of trail users through visual impact and noise pollution. Note that -- go back to the map.

Note that in the area -- are you able -- thank you. Note in this area there is no actual trail. It's a historic alignment. And then also they noted that along the auto tour route which is also a designation that NPS has for this trail, which is Mission Road.

So in both of those areas they had concerns about the visual impact of the project and noise pollution. This was early on in the process before we had routes. It was the project area and the preliminary segments that they were commenting on.

However, as part of the siting and following the suitability assessment, TEP was able to remove all the proposed segments that intersected the Juan Bautista de Anza except on Valencia Road where the project utilizes the existing infrastructure adjacent to the Santa Cruz River that we discussed today in the tour.

And then it also does cross the auto tour route at Mission and Drexel, which we also saw today. This is

a major corridor with existing utilities, and the new infrastructure isn't expected to affect the auto tour route.

Q. Thank you. And did TEP consider these comments when it devised its phases?

A. (Ms. Darling) Yes, it did. And like I said, removed many of the segments that would have had a visual impact on the trail.

Q. Thank you. Do you have any further testimony on this topic?

A. (Ms. Darling) I don't. Thank you.

CHMN STAFFORD: The correspondence that you mentioned from the tribes and that's -- is that contained in your Exhibit J to the application?

MS. DARLING: Yes, Chairman, J-8.

BY MS. GRABEL:

Q. All right. So I think we're ready to move on to our virtual tour, which should look familiar to those of who you were able to go with us today on our physical tour.

Mr. Bryner, I believe that's you?

And before you begin, Mr. Bryner, will you turn to Exhibit TEP-7?

A. (Mr. Bryner) Okay.

Q. TEP-7 is the virtual tour of this project;

correct?

A. (Mr. Bryner) Yes.

Q. Was the tour prepared by you or under your direction and control?

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

Q. How was the tour prepared?

A. (Mr. Bryner) So using -- we developed a 3-D design of the proposed route using PLS CAD design software. And we exported that model, overlaid it in Google Earth Pro, which includes recent aerial imagery as well as a digital terrain model. And then we created a route path that followed Phase 1 and Phase 2, and exported that as a video.

And then using video editing software, we overlaid some labels and other things to provide some additional context and information.

Q. Thank you. And will you please briefly describe what the committee will see on this tour?

A. (Mr. Bryner) So we'll begin the tour very similar to how we went on the physical tour. We'll begin at the Midvale Substation, follow the alignment of Phase 1 all the way down Drexel, down Westover, down Valencia. We will follow it along Spencer Avenue, the dirt road and the mud puddles is not a problem for us here. Into the Tucson Estates, the proposed Tucson

Estates Substation location. Once we arrive there, we'll follow Phase 2 down Ajo Highway, down Camino Verde, and then down Valencia all the way to the proposed circuit tie.

Q. Thank you. Let's go ahead and begin.

A. (Mr. Bryner) Okay. So some maps that you saw earlier in our presentation, just zooming into the project area, and now zooming into the Midvale Substation.

The video uses the same color themes that we've seen on all our maps, so Phase 1 is represented with an orange corridor. So there you can see the existing Midvale Substation. Also right here we're within the City of Tucson boundary, but we immediately cross over into the Pima County or unincorporated Pima County. Tohono O'odham land on the south side of Drexel. The Garden City subdivision on the north side of Drexel. Again, we're looking at a 300-foot-wide corridor.

Coming up on Westover Avenue you have that natural area and the El Paso natural gas pipeline running on the west side of Westover Avenue.

Going past Drexel Heights and into Mission Terrace neighborhood on the west side. Again, the undeveloped lands of the Tohono O'odham on the east side of Westover. Coming up on Valencia Road, that's the end

of the new build section on Valencia Road. Everything that we're seeing here exists today. You saw that on the in-person tour.

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: One moment. Member -- I thought I heard a question from someone online.

MEMBER LITTLE: Yes, me. Oh, we can finally -- up until this very second, we saw nothing but a map on the screen. And now we are finally seeing I guess what we should be seeing.

CHMN STAFFORD: Do you need them to back it up, then?

MEMBER LITTLE: Yes, if possible. We saw nothing. Thank you. Sorry to interrupt.

MR. BRYNER: I'm happy to do that.

CHMN STAFFORD: Let's go ahead and start over. Seems like they were just looking at the map during your narration up to this point.

MR. BRYNER: It's definitely helpful for them to see the picture.

MEMBER LITTLE: Thank you.

MR. BRYNER: Member Little, can you just chime in and let me know if it's zooming in to the Midvale Substation?

MEMBER LITTLE: It is not. This is the map

that we saw pretty much continuously until -- there, now we're there.

CHMN STAFFORD: Looks like there's a delay in the picture. We're hearing Member Little and she's hearing us, it seems in realtime, but it seems like there's a lag between what's appearing on her screen and what's appearing on the screen in front of us.

MR. BRYNER: Maybe what I can do is just stop it every once in a while and provide some clarification on what we're seeing.

CHMN STAFFORD: I think describe what they're going to see. Let it roll through. Stop it. And then tell them what they're going to see going forward from that point in time.

MR. BRYNER: Let's try that and hopefully that will provide some context.

Okay. So we're at the Midvale Substation. Everybody can see that right now? So we're going to run down Drexel Road. We're going to see on the north side of the road the residential subdivision of Garden City. On the south side of the road we'll see the Tohono O'odham Nation. I'll pause when we hit Westover.

And this is looking west.

MEMBER LITTLE: It's not moving. We're just seeing the original screen of the --

CHMN STAFFORD: Okay. Pause it where you're turning.

MEMBER LITTLE: There. Well, okay. Now we're at Westover. But we didn't go down to Westover.

CHMN STAFFORD: No, we stopped it before we started heading south on Westover.

MS. GRABEL: May I ask quickly, Member Hill, are you seeing the actual virtual tour, because it seems to be working on the people in the room who are remote, who are linked into the --

MEMBER HILL: It isn't actually -- I'm having the same problem as Member Little.

MS. GRABEL: You're having the same problem. Okay.

MEMBER FONTES: Same here. Member Fontes is having the same issue.

MEMBER LITTLE: What if I just --

MEMBER HILL: And what we saw was a still of Midvale. And then it jumped to a still of where Westover crosses.

MR. BRYNER: Let me try to just get some screen grabs here of where we're at and just describe it.

MS. GRABEL: Clark, I have -- Megan actually had a good idea, the other Megan, can you grab it from our website and post it on the website? I wonder

if that would solve the delay issue.

MR. BRYNER: I don't think it's a delay issue. This is on my desktop.

MS. GRABEL: Okay.

MR. BRYNER: I think it's more of a streaming issue.

MEMBER LITTLE: Is it -- is it -- it's actually on your website?

MS. GRABEL: It is.

CHMN STAFFORD: Yes.

MEMBER LITTLE: Okay. Well, why don't you just go ahead and describe as you're going along and we'll see what we see, and then at least for me I can go to the website and look at it. It's the TEP website; correct?

MS. GRABEL: Correct. That works great. Thank you very much, Member Little.

CHMN STAFFORD: That'll work. Please proceed, Mr. Bryner.

MR. BRYNER: Proceed as normal?

CHMN STAFFORD: Yes, we're at the intersection of Drexel and Westover about to head south; correct?

MR. BRYNER: Yes. Okay. So, yes, so now we're turning, we're heading south along Westover, you

can see that natural area between Westover Avenue and the residential areas of Drexel Heights and Mission Terrace on the west and the Tohono O'odham, the undeveloped lands of the Tohono O'odham on the east side.

The natural gas pipeline is illustrated with the yellow line. And then if we turn along Valencia Road, this is the stretch where the poles are existing. It's that WAPA 115kV line and the TEP 46kV line today. And it's going through generally a commercial area in this piece.

Just a little bit past Camino de la Tierra, we start going into a lower density residential area where, again, the existing line that we would not do anything to runs along the south side of Valencia Road. All right. We would not do anything to, other than change the voltage. That's kind of a big deal.

At Camino de Oesta the existing line runs, or transitions to the north side of Valencia and then continues running east-west at that point.

At this point we also cross the El Paso, a different El Paso natural gas pipeline as well also depicted with a yellow line. You start entering into some lands that are -- that are Pascua Yaqui tribal lands on the south, and some land under the jurisdiction of the BLM on the north side of Valencia Road, you can see

Casino del Sol coming up as we arrive at Spencer Avenue.

Here you can see the CAP canal, which we discussed yesterday as being buried, it's illustrated with a turquoise line similar to the placemat maps.

Once again crossing over an El Paso natural gas pipeline, and here we would be on existing poles but we would be adding a second circuit to those, so it's a 115kV circuit on there today. And those poles were built to accommodate two circuits, and so they can accommodate the 138kv circuit as well. So we would add --

CHMN STAFFORD: Hold on one second. So that part you said there's an existing what size circuit?

MR. BRYNER: It's a 115kV circuit.

CHMN STAFFORD: That's the WAPA line?

MR. BRYNER: This is the WAPA, the energized portion of the WAPA line along Spencer.

CHMN STAFFORD: Okay. And so you're just going to add the second circuit on the other side of the pole?

MR. BRYNER: That's correct. And it will mirror the existing.

CHMN STAFFORD: Okay. And then since this is on BLM land and it's a WAPA -- WAPA-managed line, then you said I think the NEPA process would, you thought would be a categorical exclusion?

MR. BRYNER: Correct. So we had conversations with the BLM and we would need to acquire our own land right, so that's where the NEPA trigger would be. And they said since it's an existing line basically you have very little ground disturbance, and so it would fall under the threshold that could be considered under a categorical exclusion, likely.

CHMN STAFFORD: All right. Thank you.

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: Yes, Member Little.

MEMBER LITTLE: I'm just curious, not that it matters, but why the corridor extends over to the other side of the road, when the line that you're going to reuse on the other side of the road from where the line that you're going to reuse is, why the corridor is so wide when you're not doing any construction, and presumably won't be relocating any part of it.

MR. BRYNER: So I mentioned this just yesterday. Again, our intention is to use those existing poles in what was it, 83 percent of the project, those existing alignments.

The new build areas we want the 300 feet because in the event we have an issue acquiring right-of-way or we learn something when we do detailed ground surveys, both for cultural resources or biological

resources, if we find something we want to have a little flexibility to avoid that.

And it was really for simplicity sake that we just said, hey, let's just request a 300-foot corridor everywhere.

MEMBER LITTLE: Thank you.

MR. BRYNER: Am I okay to proceed?

CHMN STAFFORD: Please.

MR. BRYNER: Okay. As we continue along Spencer Avenue we see the residential neighbor of Sunset Acres on west -- or, sorry, on the east side of Spencer Avenue and on the west side it's just a lower density residential.

Coming up on the proposed Tucson Estates Substation site. Let me just mention here, this area in purple, that is the site we've leased from the state land department. That doesn't represent the footprint that the substation will take up. It will not be that big.

Here you can see the WAPA Black Mountain Substation and the Snyder Hill pumping station on the north side of Ajo Highway.

Now we're transitioning to Phase 2. Again, you can see the proposed Tucson Estates Substation site. Ajo Highway to the north of that. And our proposed alignment running south of the highway, again, within the

300-foot corridor.

We jog around a gas station and cross over the WAPA 115kV line. And then we run adjacent to the concrete storm water canal on the south side of Ajo Highway before coming up to Camino Verde, where at this point we now rebuild the existing 46kV line that runs along the west side of Camino Verde. And this does go through some residential areas.

CHMN STAFFORD: Now, one second. So the rebuild means you've got to replace the poles for that; correct?

MR. BRYNER: That's correct.

CHMN STAFFORD: And, now, was this portion of the 46kV system going to be removed or retained?

MR. BRYNER: This portion of the 46 -- so the 46kV line that runs along Camino Verde, that serves the Bopp-Donald which is one of the 46kV substations that will be retired.

So once we've constructed Phase 1 and the Tucson Estates Substation, that will allow us to cut over the distribution circuits that currently come out of the Bopp-Donald Substation, and have them sourced from the Tucson Estates Substation.

Once that's happened, this 46kV line will become deenergized and it will allow us to essentially

repurpose it. And so it's no longer needed as a 46kV line.

CHMN STAFFORD: But you'll need to replace the poles, though; correct?

MR. BRYNER: Correct. Just with -- you might have noticed on the in-person tour a few of them have been replaced and are steel poles. Most of them are older wood poles, and we would want to replace those with our more robust steel mono poles, and they would be slightly taller than what exists there today.

CHMN STAFFORD: Okay. And that's a single circuit; correct?

MR. BRYNER: Single circuit; correct.

CHMN STAFFORD: Thank you. All right. Please proceed.

MR. BRYNER: As we move along Camino Verde we're passing over the Branding Iron Park neighborhood on the west side of Camino Verde.

On the east side it's a mix of BLM land and state land.

Now we're approaching Valencia Road, this is where we had to do a little U-turn today because there was some construction going on. But the existing line runs -- there's an existing 46kV and 115kV line running on the north side of the road.

We would -- the 115kV line, that's operated by WAPA, that would remain. The 46kV line would be converted to a 138kv circuit, but it's already built to that standard, so no changes would occur.

Coming up on Spencer again, so this is where Phase 1 and Phase 2 would now be collocated, both on that existing structure that was already built to accommodate a double-circuit 138kV. We would simply be energizing it differently.

So we've already run over this area as we were looking west. Now we're looking at this area as we're running east.

So Mark Road, that's what we turned on for our little detour when we were heading up to the Tucson Estates Substation.

You can see the El Paso natural gas pipeline in yellow that we're crossing over.

At Camino de Oeste the existing line transitions from the north to the south side of Valencia Road. And continues through I'd call it a lower density subdivision, and these subdivisions don't have any names.

CHMN STAFFORD: Now, on this portion, isn't -- because you have the existing line that's going to become a double-circuit 138, it goes on the south, then it transitions to the north side of the road.

Isn't there a -- is there a 46kV line that runs on the opposite side for a portion of this along Valencia Road?

MR. BRYNER: For -- in this portion, you've only got one line running on Valencia Road and it's a 115 and 46kV today. And so that will become double-circuit 138. Again, visually it won't look any different. It will just be energized differently.

When we get further down -- and I'll point it out here in just a minute -- further to the east of Westover, you'll get a double-circuit 138kv line on the north side of Valencia Road, but there's no place until there where you've got lines on both sides where you've got transmission lines on both sides of the road.

CHMN STAFFORD: But there's, like, a distribution line on the other side; isn't there?

MR. BRYNER: There is a distribution line a little bit to the west of where we're at right now, over near like Casino del Sol, there's a distribution line that runs along the other -- the opposite side; correct.

CHMN STAFFORD: Because I remember driving down Valencia looking at the lines, saying, okay, make sure I get it sorted out in my head which ones we're looking at.

Then we have -- but it's not till we get to

Westover that we see the other set. We have sets of lines on both sides of the road really, that are transmission lines.

MR. BRYNER: It's about a half a mile east of Westover where we then have that.

CHMN STAFFORD: Okay.

MR. BRYNER: And where you're talking about with the distribution line, that's actually a Trico distribution line. This is one of those areas where our two service territories come together, so it's not TEP.

CHMN STAFFORD: Okay.

MR. BRYNER: So as we continue along, to the east we're now going to transition from the residential land uses on either side to more commercial land uses. Again, this is all existing. No changes will occur other than the change in voltage.

Now we're approaching Westover Avenue with the El Paso generating pipeline, if you see that yellow line running north-south or perpendicular to our tour.

Now we've entered into the Tohono O'odham Nation. You can see some of those low density residential homes on the Nation there, and this is an area where we would rebuild the existing 46kV and make that a 46kV/138kv line. Because we do need to keep the 46kV energized from Mission Road east.

CHMN STAFFORD: And so would that be the existing poles or different poles?

MR. BRYNER: We would replace those poles.

CHMN STAFFORD: Okay. This is the part where you said you're going to replace them, you wouldn't increase the spans because you still have to maintain the 46kV underbuild.

MR. BRYNER: With the distribution underbuild, so it would be kind of a pole for pole.

CHMN STAFFORD: Okay.

MR. BRYNER: Now, as we continue east, definitely a commercial area. Again, the poles are, remain the same, exactly how they are, the conductor, the wire all remains the same.

Coming up on the proposed circuit tie here and the Santa Cruz River, and that's where we would add our single pole in line with the existing, both the existing line that runs east-west on Valencia and the existing line that runs north-south adjacent to the Santa Cruz River.

And that is the end of the virtual tour.

CHMN STAFFORD: All right. Member Little, could you make out any of that or are you going to wait to see the tour on the website?

MEMBER LITTLE: Actually we saw most of it.

And it was very helpful and Eli gave us the website and I have it open. So appreciate it. Thank you.

CHMN STAFFORD: Thank you.

BY MS. GRABEL:

Q. Great. Mr. Bryner, do you want to continue to Slide 68?

A. (Mr. Bryner) So one quick -- this is one of those errors in the slide show. You see the slide, it says 55. This is actually Slide 68. That was a --

CHMN STAFFORD: Pagination error.

MR. BRYNER: Yeah. Yeah. So, anyways. Just, this is just sort of a summary slide just to wrap up what we've seen and summarize the environmental impacts of the proposed route.

In summary, so approximately 58 percent of the proposed route exists today complete with the structures, hardware, and conductors. So no changes at all for 58 percent of it. Other than the change in voltage.

Another 13 percent of the route would simply add a second circuit, so that's along Spencer Avenue, we would add that second circuit, so we would have to add new insulators and new conductor.

Another 12 percent would rebuild existing 46kV facilities, so that's the piece on Camino Verde and

that little stretch on Valencia where we cross between the Tohono O'odham Nation.

And only 17 percent of the route would be new build or new construction, so along Drexel and Westover and there adjacent to Ajo Highway.

So of that new construction, only a half a mile stretch there on Drexel would be adjacent to residential areas. Maybe that's subjective. I consider on Westover that natural area buffer as being not immediately adjacent to the residential areas. But you might consider it differently.

CHMN STAFFORD: Thank you. Member Hill, you have a question.

MEMBER HILL: Thank you, Mr. Chair. And thank you, Mr. Bryner.

First of all, I want to compliment you on using existing facilities, using existing corridors. I think there's minimal impact in this corridor because you've taken the time to plan with the tools and the resources that you have available.

I am curious if you have any comparison in the line cost had you actually had to build this new. So I have two questions. Is there any cost comparison there that you can provide to us, because I am kind of curious about that.

And then the second part of that question is about cost recovery, and this is just me trying to understand how costs are recovered by utilities. Is a line or a project like this considered -- I know the new build cost recovery is different than the O&M cost recovery. Is this considered O&M? Is this considered a new build? Can you talk me through a little bit so I understand the cost piece?

MR. BRYNER: Sure. Thanks, Member Hill. So to answer your first question about the cost differential. So in our application we do have the cost estimates for this. And it's -- I'm just going to use ballpark numbers, so it's about 1 million per mile when you take it, you know, across the roughly 17 miles for the project. Whereas a typical 138kV line for us is closer to 2 million. So --

MEMBER HILL: Okay.

MR. BRYNER: -- it's close to a 50 percent savings by reusing this. Is that sufficient to answer your question on the differential?

MEMBER HILL: Yeah, that's helpful. I'm just -- yeah.

MR. BRYNER: As then as far as cost recovery goes, so like the existing infrastructure that we're looking to purchase from WAPA, that would be a new

asset to TEP, so since it's a new asset that would go on our books as something that would be capitalized.

MEMBER HILL: Okay. That's helpful. Thanks.

MR. BRYNER: The last thing I really just want to say on this slide, again, you can see the happy faces, the smiley faces on Slide 68, but for the sort of meh face on Phase 1, and that's due to the 14 homes that Phase 1 would cross, or be adjacent to.

But the others really are very minimal impacts to any of the environmental resources that we're looking at. And very minimal impacts to the concerns or values that were raised by the community.

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: Yes, Member Little.

MEMBER LITTLE: Just a question. Did -- have you had direct contact with any of those 14 homes? I didn't see much in the way of public comment that was negative to this project.

MR. BRYNER: Sure. So we certainly reached out to those homes through, we discussed it yesterday, various means, direct mailers, e-mails, signage, flyers, newspaper advertisements. Of the comments that we received that we were able to track where they came from, we don't always get an address of where the comments are

coming from, but of those that we were able to pinpoint where they came from, we didn't receive any comments from any of those 14 homes.

And really, overall as you were pointing out, Member Little, most of the comments in this area were positive. They've had not the greatest reliability for a number of years. In fact, after the outage that I mentioned yesterday, I was receiving comments of people, what can you do to speed this up.

MEMBER LITTLE: Well, I would like to take this opportunity to also commend you for I really appreciate all of the information that was provided in the application. You know, not only the comments but also the responses. And I'm always very impressed with how TEP handles their public relations and dealing with comments and the responses and I appreciate being able to see them also.

MR. BRYNER: Thank you, Member Little.

MEMBER LITTLE: Good job, guys.

CHMN STAFFORD: Member Hill, you had a question?

MEMBER HILL: No. We can't see when we raise our hand. It's not like other formats. So I think we sometimes just leave our hands up. So I will lower my hand. I apologize.

CHMN STAFFORD: There you go. Now it's back up. Now it's down. Okay.

Well, I believe this is the end of this portion of the testimony for Panel 2, I believe. Panel 3 is coming up next, Ms. Grabel?

MS. GRABEL: That is correct.

CHMN STAFFORD: It seems like a perfect time to take our lunch break. I think the food is also here.

MS. GRABEL: Sounds good.

CHMN STAFFORD: All right. With that let's take a recess until one o'clock.

(Recess from 11:59 a.m. to 1:01 p.m.)

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

Before we move on to Panel 3, Mr. Borman, do you have any additional questions for Panel 2?

MR. BORMAN: I do not.

CHMN STAFFORD: Okay.

MR. BORMAN: Thank you.

CHMN STAFFORD: Any questions from members? Member Hill, your hand is raised.

MEMBER HILL: It is actually raised.

Mr. Chair, I went through the exhibit -- the proposed Exhibit B, and I have a recommendation, a

request from the applicant on this.

So I'm looking at the October 2 letter from Arizona Game and Fish where the department -- the department says at the bottom of that first page --

CHMN STAFFORD: Is this in the exhibit? Is this in exhibit from the hearing or is this attached to the Exhibit J from the application?

MEMBER HILL: It's the exhibit in the hearing binder.

CHMN STAFFORD: I'm sorry. I didn't hear that.

MEMBER HILL: It's an exhibit in the -- to the hearing. So it looks like it is maybe Exhibit 16, updated response from Arizona Game and Fish.

CHMN STAFFORD: Okay.

MEMBER HILL: And it says, "The department is pleased to see the preconstruction surveys are planned for a number of species including but not limited to the pineapple cactus, the Sonoran desert tortoise, nesting birds." It goes on to say later that, "The department appreciates the avoidance of the banks of the Santa Cruz and appreciates the preconstruction site visits will be conducted," quote "'to confirm presence and absence conditions and related regulatory requirements for all waterways, flood plains and riparian habitat.'"

And then lastly I want to mention that it says, "The department also appreciates the inclusion of best management practices to prevent the introduction and spread of invasive plant species and the plan to restore disturbed habitat with native seeds or plantings."

So then I took a look at Exhibit B and Exhibit B seems to be more or less a selection of the best management practices or the mitigation environmental protection measures that was -- that's located in the application. And I'm not clear on why we selected some things than others.

But what I want to recommend is that we actually from the application, starting on page 133 -- 133, we just lift all the best management practices because only a couple of them are listed in the exhibit, and all of the environmental protection measures, and make that the exhibit to the CEC so that we cover all of the things that Game and Fish identified as well as the things that are in the application.

CHMN STAFFORD: Okay. And Exhibit B you're referring to is the Exhibit B to Hearing Exhibit TEP-13, the proposed CEC; correct?

MEMBER HILL: That's correct, Mr. Chair.

CHMN STAFFORD: Mr. Bryner.

MR. BRYNER: Our intention was certainly to

capture everything that was listed in the biological evaluation within the application. So if we missed anything, that was an error on our part and we'd be happy to add them in or incorporate them as you recommended, Member Hill.

MEMBER HILL: Okay. Great. However you want to proceed. I just want to make sure that all the BMPs and all the environmental protection measures that were in the application are in exhibit to the CEC.

MR. BRYNER: Yes, let's do that.

MEMBER HILL: Okay. Great. Thanks.

CHMN STAFFORD: Any other questions from members for this panel?

(No audible response.)

CHMN STAFFORD: All right. Ms. Grabel, you can call your third panel. I believe that's going to be the addition of Ms. Deborah Vining. Am I pronouncing that correctly?

MS. VINING: Yes, sir.

MS. GRABEL: Okay. So we'll let Ms. Darling leave the panel, and our second panel will be Mr. Bryner and Ms. Vining. Do you want to go ahead and swear Ms. Vining in?

CHMN STAFFORD: Let's swear in Ms. Vining.

(Deborah Vining was duly sworn by the

Chairman.)

CHMN STAFFORD: Thank you. Please proceed.

MS. GRABEL: And Ms. Vining's direct is going to be taken by Ms. Egan.

CLARK BRYNER and DEBORAH VINING,

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. EGAN:

Q. Hello. I apologize for my voice. Can everyone understand me? Let me know if someone has trouble. I have a two-year-old, so he brought me something special from daycare.

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

A. (Ms. Vining) My name is Deborah Vining and I work at 88 East Broadway Boulevard in Tucson, Arizona.

Q. And by whom are you employed and in what capacity?

A. (Ms. Vining) I work for Tucson Electric Power, and I'm employed as a siting outreach and engagement

project manager.

Q. What was your role in this matter?

A. (Ms. Vining) For this project I assisted with the line siting process, the outreach and the preparation of the application and exhibits.

Q. Is this your first time appearing before the committee?

A. (Ms. Vining) It is.

Q. Please provide the committee with your background, experience, and education.

A. (Ms. Vining) Yes. I hold a bachelor's degree in political science from the University of Minnesota. And I have more than 25 years in right-of-way, real estate appraisal, and infrastructure projects.

I joined TEP's line siting group in April of this year, and prior to that for the last three years, I was a senior right-of-way agent in the land resources department at TEP, where I managed the right-of-way process for major capital projects and also assisted a lot with line siting projects.

Before coming to Tucson, I worked for Humboldt County, California, where I was a senior right-of-way agent, and I managed most of their large capital projects and did a lot of the public outreach efforts with the assistance of engineering and environmental staff.

Before that, I was at the City of Yuma, Arizona, as a right-of-way agent and I managed acquisitions, relocations, and property transactions related to major capital projects.

I began my career in this field at the Colorado Department of Transportation, where I was an appraiser, and I worked on highway corridor studies, property acquisitions, excess property disposal. And held certifications in both Colorado and Arizona in appraisal and worked on my -- I actually completed all the courses required for the MAI designation at the Appraisal Institute.

Overall my project background just is experience in right-of-way evaluation, public outreach, a lot of infrastructure project development, and that has prepared me well for my current role at TEP.

Q. Thank you. Do you have a book of exhibits in front of you?

A. (Ms. Vining) Yes.

Q. Can you please turn to Exhibit marked TEP-5 titled Testimony Summary of Deborah Vining?

A. (Ms. Vining) Yes.

Q. Have you seen this document before?

A. (Ms. Vining) Yes, I have.

Q. Was it prepared by you or under your direction

and control?

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

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

A. (Ms. Vining) They are.

Q. Does it accurately summarize the testimony that you'll give the committee today?

A. (Ms. Vining) Yes, it does.

Q. Thank you.

MS. GRABEL: Okay. Then, I think we're going to turn back to Mr. Bryner to start on the siting process on Slide 71.

CHMN STAFFORD: Yes, Jennifer.

(Reporter clarification.)

CHMN STAFFORD: Yes, are you going to turn the monitor on to show the slide presentation?

MR. BRYNER: Eli, do you know where the power switch is?

We decided we're the boys in blue. We're not as good as the typical team.

CHMN STAFFORD: There you go.

MR. BRYNER: I'm going to back to the last slide just so you can see Ms. Vining's slide and her resume. Now you've got that. So on Slide 70.

Going to Slide 71. So as a company we

follow a comprehensive planning and siting process that's integrated with robust public outreach and engagement.

And we do that because we want to learn from the communities what's most important to them, what do they value, and then we allow that to shape the siting of our project and ultimately determine what routes we will propose in our CEC application.

So this is a process that many of you have seen it many times, but it is what we employed on this project, just like we have on past projects. And so Ms. Vining and I will walk you through each of those steps and discuss how the project was developed.

MS. VINING: This slide is an overall summary of our outreach activities, and I'll go over each phase in more detail as Mr. Bryner and I discuss the planning and siting process that was followed to identify the proposed route.

A question came up yesterday about Pima County's participation in the siting process. So I thought I'd take a moment here just to overview their participation.

Pima County had anywhere from three to six participants at each of our public agency briefings. And the departments included development services, flood control, wastewater management, parks and recreation,

which includes natural resources and conservation lands as well as real property. So pretty good representation.

TEP conducted extensive outreach and engagement for the project with the overarching goal of encouraging public engagement and comments throughout the siting process. Outreach included three public open houses, three agency briefings, one elected official meeting, 11 miscellaneous meetings, primarily with agencies such as BLM, Pima County, which I just overviewed, and Tucson Airport Authority.

Our external communications included more than 129,000 mailed notifications, targeted e-mails, social media, flyers, street signs, website communications, and local advertising.

The program provided multiple opportunity for community participation and resulted in 81 public comment that were reviewed and considered through the project development.

MR. BRYNER: So moving on to Slide 73 --

BY MS. GRABEL:

Q. Actually, Mr. Bryner, before you go there, can you please turn to Exhibit TEP-9. I'm going to enter some exhibits that talk about public outreach.

And TEP-9 for the committee is the summary of the public outreach that was conducted for this project.

A. (Ms. Vining) Okay.
Q. Have you seen this document before?
A. (Ms. Vining) I have.
Q. Are you going to answer these questions, Ms. Vining? If so, I'm going to let Sam ask the questions.
MR. BRYNER: I'm going to.
BY MS. GRABEL:
Q. Was it prepared by you or under your direction and control, Mr. Bryner?
A. (Mr. Bryner) Yes, it was.
Q. Okay. Was this document provided in response to the chairman's procedural orders, specifically paragraph 16?
A. (Mr. Bryner) Yes, it was.
Q. Did TEP provide a supplement to the summary of public outreach?
A. (Mr. Bryner) Yes, we did.
Q. And is a copy of that supplemental exhibit marked as Exhibit -- I don't have the number in front of me -- 21? Thank you.
CHMN STAFFORD: What, no staple?
MR. BRYNER: I'm having trouble finding it in my binder, but yes, I know it's TEP Exhibit 21.
//

BY MS. GRABEL:

Q. Thank you. And does the supplement summarize the public outreach that TEP has performed since TEP finalized and filed the CEP application?

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

Q. The CEC application. Excuse me.

A. (Mr. Bryner) Yes.

Q. And does the summary and the supplement accurately convey the public outreach performed by TEP in this matter?

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

Q. All right. Please continue. Sorry to interrupt you.

A. (Mr. Bryner) All right. Now moving on to Slide 73. So the first phase of the siting process, we call it our preanalysis phase.

During this phase we conducted field visits and high-level desktop analysis so that we could characterize the area. We then looked at the project end points which in this case were the existing Midvale Substation, the proposed Tucson Estates Substation, and our proposed circuit tie location.

From there we looked at high-level opportunities where a transmission line could go to connect those points, and we defined the boundaries of our siting study

area. And that siting study area is illustrated with this black line on Slide 73, so it's quite a bit larger than what we've been looking out on past slides that showed sort of our area of analysis that just extended a half a mile around the proposed route.

So then within that siting study area the internal project team identified opportunities. These represented areas where it would make the most sense to conduct a new transmission line, including collocation with major utility lines, along major roads, within existing or planned industrial areas, on vacant land or open space, and even adjacent to natural linear features such as washes. So those opportunities that were identified by the project team are illustrated in green in the map on Slide 74.

So at the same time, we also looked at constraints to constructing a transmission line. So a constraint doesn't necessarily mean that we can't build a new transmission line in that area. It simply means there's something that presents a challenge or that would make it more difficult to build there.

So the constraints are identified in red on Slide 75, and those included things like constructability concerns such as rugged terrain, you saw some of that with the Tucson Mountains out there on our field tour.

Also, Pima County and the City of Tucson have some sensitive or conservation lands out there. Also, we had the City of Tucson with their designated Gateway Corridor Overlay Zone.

So those opportunities and constraints were then shared with stakeholders and the public for their review and opportunity to add any additional opportunities or additional constraints.

And in addition to sharing those opportunities and constraints with the public, we also shared a draft version of our preliminary segments which are shown in blue on Slide 76, and allowed the public to comment not necessarily directly on these preliminary segments, because these are derived from the opportunities that we'd identified, but to, hey, let us know if there's other opportunities that you should consider.

And once we had those opportunities, we had our engineers take a look at it and say, hey, would it be reasonable to build a transmission line in this location, and if it was, then it moved forward in our analysis and was identified as a preliminary segment.

So during Phase 1 we identified 158 preliminary segments.

A. (Ms. Vining) At this stage, no routes had been selected. Instead, we sought input on community values,

opportunities and constraints within the study area and the preliminary route segments developed during the preanalysis phase that Mr. Bryner just discussed.

As is typical of TEP line siting efforts and to ensure broad awareness, TEP implemented a comprehensive bilingual notification campaign in English and Spanish.

Postcard mailers were sent to approximately 43,000 residents and property owners within the notification area which extended one mile beyond the study area.

We also posted eight flyers, installed six street signs, published newspaper advertisements in both the Arizona Daily Star and the Arizona Bilingual News, conducted social media outreach on Facebook and Instagram, and sent e-mail notifications to elected officials, tribes, agencies, and other interested parties and more than 18,000 customers using our Customer Care database.

Every notification directed people back to the website where they could learn more about the project and submit comments. In the open house interested parties could provide feedback through online comment forms, e-mails and voicemails to the project e-mail address and phone number, written correspondence and direct conversations with the project staff.

In conjunction with public outreach, TEP initiated government-to-government tribal outreach using the Arizona Government-to-Government Consultation Toolkit. TEP identified tribal contacts representing 11 tribes with ancestral affiliations to the project area. Formal letters and follow up e-mails were sent inviting tribes to participate in individual meetings and discuss the project in greater detail.

We conducted our first agency brief on March 4, 2026, followed by a public open house on March 5 at Raul M. Grijalva Elementary School. The public meeting was structured as an open house, allowing attendees to move through informational displays, review project maps, identify their properties relative to the preliminary segments, and engage directly with project team members.

Members of TEP's customer care team were also available to answer questions regarding customer programs and energy assistance opportunities.

Next slide.

The first outreach generated participation from 24 agency representatives, and 25 members of the public attended the open house. We received 22 public comments with feedback starting when the residents received postcards in the mail and then continuing for a week or two after the meeting.

As I mentioned before, postcard mailers were sent out to all potentially impacted agencies. TEP sent e-mails to the City of Tucson mayor, city administrator and vice mayor who is also the ward 1 council member for that project area. And during the presiting process, TEP staff and consultants carefully researched and prepared an agency stakeholder list to whom we sent both the written and e-mail correspondences related to the project.

After the open house, TEP conducted a series of follow-up meetings with key agencies and participants including representative Chris Lopez from Arizona's House District 16, the four southern tribes' cultural resources working group, the National Park Service, and representatives from the Bureau of Reclamation, Central Arizona Project and Western Area Power Administration.

TEP presented to the four southern tribes' Cultural Resources Working Group on March 20, 2026. As consultation efforts continued, the White Mountain Apache tribe's historic preservation officer later provided us Section 106 consultation letter indicating no adverse effects.

The feedback received during Phase 1 provided valuable direction for subsequent project development. Several common themes have emerged. Participants

expressed a desire to preserve the views of the Tucson Mountains, avoid residential areas whenever possible, maximize the use of existing infrastructure, minimize project cost, improve system reliability, and protect natural resources including native plants and wildlife habitats.

Another notable outcome was the overwhelming positive feedback regarding the conclusion of TEP's customer care team at the public meetings. Many attendees appreciated having direct access to customer service representatives who could answer their questions completely unrelated to the transmission project.

Most important, Phase 1 feedback helped shape the suitability assessment process and informed the refinement of route segments that would be presented during the next phase of outreach.

A. (Mr. Bryner) Okay. So moving on to Slide 79, so Phase 2 of our siting process began after that first round of outreach. So that consisted of us gathering data. Both spatial data as well as reports and other things like that that would be --

(Phone interruption.)

MR. BRYNER: Trying to make it a little more lively.

MEMBER MERCER: I just touched my --

MR. BRYNER: I'll try to be more interesting.

MS. GRABEL: The dance mob portion of the hearing.

MR. BRYNER: So Phase 2, we really gathered the data that we would need to form the foundation for the rest of our analysis. And those different data sources or types are listed on Slide 79.

Moving to Slide 80, in Phase 3 of our siting study, which we call our suitability assessment, here we created nine different criteria models, using geographic information systems, or GIS, to represent spatial evaluation criteria.

These included existing plans, existing and future residential properties, conservation and preservation, biological resources, noise and communication, cultural resources, scenic and visual resources, total environment, and construction and maintenance.

And those small thumbnails of each of those are shown on Slide 80.

Each of those criteria models were then combined and weighted differently to create four separate composite suitability models. Each of these models represents a different perspective from which those

evaluation factors, or representing which of those evaluation factors were the most important.

So we created one model that was the balanced model, looking at all nine of those criteria models equally. We created one that was our construction and maintenance model, so that looked at the construction factors and gave them a preferential weight.

We looked at one that was in our environmental-preferred model, so environmental factors were given greater weight. And lastly, one that was our residential and visual resource preferred model, which reflected the things that we had heard from the community were of the most importance, and I mentioned those before, views of the Tucson Mountains, specifically from residential areas, and an avoidance of residential areas.

So then the 158 preliminary segments that we identified in Phase 1 were put through those, each of those models, and we also took into consideration the constraints that we had identified in Phase 1, and that resulted in 90 segments with lower suitability being removed from further consideration in our study.

And those are represented in gray lines in the slide on 82. And 68 segments were carried forward for further analysis and those are represented in blue on Slide 82.

A. (Ms. Vining) The objective of our Phase 3 outreach was to report back to project participants how Phase 1 feedback had been incorporated in the routing analysis and to solicit additional input on the refined segments identified through the suitability assessment.

This phase represented an important transition to the project. Project participants were able to see how community values and concerns had been incorporated into the evaluation process, and how the original set of preliminary segments had been narrowed to a more focused group of siting opportunities.

As with Phase 1, TEP conducted a comprehensive bilingual notification campaign. Phase 3 outreach postcard mailers contained a highlighted box in both Spanish and English announcing that the customer care team would again be available at the open house to assist with any billing questions.

An agency briefing was held on May 13, 2026, followed by a public open house on May 14, again, at Raul M. Grijalva Elementary School.

To improve transparency, TEP also posted a video presentation online that explained the suitability assessment process and walked viewers through how the public feedback and technical criteria were incorporated into segment evaluation.

During this phase, project participants were asked several important questions: Did the refined segments appropriately reflect community values and concerns? Had TEP correctly interpreted previous feedback? Were any important opportunities or constraints overlooked? What segments should remain under consideration? And what characteristics of the community should continue to influence route selection?

We emphasized that participation remained meaningful and encouraged those interested to provide detailed comments regarding specific segments and the reasons they supported or opposed them.

Next slide. The strongest message received was support for routes that could be collocated with existing transmission infrastructure. Based on this feedback, along with the suitability assessment results, the project team continued to focus route development along the existing utility corridors associated with Valencia Road, Spencer Avenue, and Camino Verde.

These comments further validated the project's direction and informed development of the final route alternatives presented during Phase 5 outreach.

A. (Mr. Bryner) So then we moved into Phase 4 of our siting process, which is called our compatibility analysis.

So in this phase, we had subject matter experts who reviewed each of the 68 route segments that were still under consideration with respect to the evaluation criteria that had been developed in large part through public outreach as part of phases 1 and 3 of the process that reflects the community values.

So the compatibility analysis then resulted in the identification of a single route for Phase 1 of the project with two subalternatives and a single route for Phase 2 of the project, and the elimination of 38 route segments from further consideration.

The eliminated segments again are illustrated in gray on Slide 86 and Phase 1 and 2 routes are -- Phase 1 and 2 routes as well as the subalternative routes for Phase 1 are illustrated in some different colors. And at that time you all are familiar with looking at Phase 1 as going down Drexel Road and down Westover. We were also considering a route that continued down Drexel and down Cardinal Avenue, so those were our two subroutes we were looking at.

So then each of those routes were then shared with our shareholders and the public.

A. (Ms. Vining) The final outreach phase occurred after the project team identified draft route alternatives for consideration in the certificate of

environmental compatibility process. The objective of this phase was straightforward: Present the draft alternatives, explain the reasons they were selected, and obtain final public feedback before moving forward in the siting process.

TEP, again, implemented a comprehensive bilingual notification campaign and again included the highlighted box, which was very popular, announcing the customer care representatives would be at the open house and to assist with billing questions.

And I just want to say that we feel like there were a lot of people that came because of the customer care that then developed some interest in the project and vice versa. So it was very well received and we'll continue to do that, I think, as a company.

The final agency briefing was conducted on August 5, 2026, and the public open house occurred on August 6 at Pima County Community College's Desert Vista campus.

In addition, TEP conducted tribal outreach efforts. Earlier in the process tribal representatives had been notified of project's progression and were provided access to cultural resources information supporting the siting effort. No additional individual tribal meetings were requested during this phase.

Next slide.

The final outreach effort including participation from 34 agency participants at the virtual agency briefing, and 31 members of the public attended the final open house.

Follow-up coordination meetings were held with the Arizona Department of Transportation, City of Tucson Planning and Development Services Department, and Tohono O'odham, San Xavier District Planning Department.

During the open house project team members met individually with attendees to answer questions about the proposed alternatives and explained the difference between the routes. A total of 22 public comments were received.

A clear theme emerged from these comments. Continued support for maximizing the use of existing utility infrastructure, and strong support for Route 1A which is that segment that leaves Midvale Substation heading west along Drexel Road, then turning south on Westover Avenue as opposed to what Mr. Bryner recently, two slides ago, showed the alternative on Cardinal Avenue that was eliminated.

Agency and public feedback also resulted in several refinements including the elimination of 1B on Cardinal Avenue, adjusting a proposed segment along Ajo

Highway to the south side of the concrete line drainage ditch to avoid the already-constrained highway right-of-way.

And then continued coordination with the City of Tucson regarding Gateway Corridor requirements near the circuit tie at the east end of the project.

By the conclusion of outreach the project had received one tribal no effect response and no additional requests for individual tribal consultation meetings.

Overall, the outreach process demonstrated a consistent message from both public and agency participants. Prioritize the use of existing infrastructure, minimize impacts to neighborhoods and view resource -- visual resources, continue -- control project costs, and improve electric reliability for Southwest Tucson. Those themes remained remarkably consistent throughout all three phases of outreach, and helped guide the final route recommendations presented in this application.

As summarized in Slide 89, throughout the siting process TEP maintained regular communication with City of Tucson officials and staff providing project updates and opportunities for review through agency briefings, public outreach notifications, and direct meetings.

TEP also met with city staff to discuss project

details, answer questions, and better understand the city's perspective on elements of the project as we moved through to the review process.

A. (Mr. Bryner) So as Ms. Vining shared, we did receive substantial opposition to our alternative route 1B, which was along Cardinal route, and that was primarily due to a narrow right-of-way, heavy traffic in that area, and proximity to homes.

So as a result subalternative Route 1B was eliminated from consideration and we moved forward with only a single route divided into the two phases that you've seen, Phase 1 and Phase 2, and proposed that in our application.

And as we've just gone through this process, you know now that the single route that we're proposing only came following a comprehensive siting study that did look at multiple, multiple different opportunities or options where we could go, and considered the effects on the environment, on land uses, public and stakeholder feedback, community values as well as technical factors such as constructability, maintenance and cost.

And just to reiterate again, the proposed route that we've shared with you, nearly all of it is on existing facilities. There's only 17 percent of the route that would require new build or new construction.

So by maximizing the use of existing infrastructure, the proposed route really helps to reduce costs as we've discussed already, about 50 percent lower than a normal line. It also minimizes environmental land use and visual impacts.

Sorry, I guess just one last thing on this would just be with so much of the route that we're proposing dependent on the use of the existing Bureau of Reclamation, or what we've been calling just the WAPA 115kV line, TEP did coordinate closely with the Bureau of Reclamation, WAPA, and Central Arizona Project, the Bureau did remain neutral on TEP's project as did WAPA, but they were supportive of the proposed solution or the concept and the idea to collocate on these existing facilities in order to reduce costs and reduce environmental impacts.

BY MS. GRABEL:

Q. Before you leave this slide, Mr. Bryner, did TEP receive any other letters of support for this project?

A. (Mr. Bryner) We did. On Slide 91 it's showing the letter that we received from the Bureau of Reclamation but in addition to that we received a letter from WAPA or Western Area Power Administration.

Q. And is that marked as Exhibit TEP-23?

A. (Mr. Bryner) I got to believe it is. Hold on.

CHMN STAFFORD: And the letter on screen from the Bureau of Reclamation, is that a separate exhibit or is that in -- attached to the application?

MS. GRABEL: That's attached -- no, that's a separate exhibit. It's Exhibit TEP-19.

CHMN STAFFORD: 19. Okay.

MS. GRABEL: I didn't ask about that. Sorry. Thank you.

BY MS. GRABEL:

Q. Mr. Bryner, is that Exhibit TEP-19?

A. (Mr. Bryner) Sorry. What about the TEP-19?

Q. Is that the Bureau of Reclamation letter?

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

Q. Thank you.

A. (Mr. Bryner) And to answer your previous question about TEP-23, yes, that is the letter from Western Area Power.

Q. And briefly what does Western Area Power Administration say about the project?

A. (Mr. Bryner) I would say it's substantially similar to the letter from the Bureau of Reclamation. They're in support of the project, but they're neutral -- well, sorry. They're in support of the idea for the project. But neutral on their position with respect to TEP.

CHMN STAFFORD: Does that -- but there's going to be a bid for you to acquire that infrastructure?

MR. BRYNER: That's correct. And, in fact, in both of these letters it acknowledges the bid and says that, kind of what I've said before, that it should go to auction in late 2026 or early 2027. And so obviously they can't -- they can't state that, hey, TEP will be the successful bidder.

CHMN STAFFORD: Right. I guess saying that they support the project could be construed as wink, wink, nod, nod, you're going to get the bid.

MR. BRYNER: Sure. And so I think that's why they were probably pretty careful in stating that.

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

MEMBER FONTES: I do. Thank you. Mr. Bryner, I just want to know on that, it's a bid for the physical infrastructure? And full capacity? In other words, is WAPA or the bureau going to have an option to retain some sort of capacity after you guys acquire the rights to the physical infrastructure?

MR. BRYNER: Member Fontes, the bid is for the infrastructure. So it would be for -- WAPA, or I guess, yeah, this would be a WAPA. WAPA has their Del Bac Substation located really close to our proposed

circuit tie, so it would be a bid for that facility as well as the 115kV line. Just the facilities. There would be no capacity and WAPA or the Bureau of Reclamation would not retain any rights to that transmission.

MEMBER FONTES: So there'll be no -- just for the record here, there'll be no capacity to any federal entity after you guys acquire it? Is that the operational future planned consideration, looking at?

MR. BRYNER: If I'm understanding your statement correctly, yes, WAPA would not have any ability to use this line, nor there would be any interconnection to their system to transmit electricity through it.

MEMBER FONTES: I ask because as you're aware in natural gas and electricities, you can have a different owner for capacity and then a physical infrastructure. I just want to make sure we capture that for the record. You answered my question, though. Thank you.

MR. BRYNER: You're welcome.

CHMN STAFFORD: Okay. So just to make sure I got this right, so you're buying the physical asset from the Bureau of Reclamation.

MR. BRYNER: Correct. We're not buying any transmission rights or capacity. The asset which would

then be ours in whole.

CHMN STAFFORD: And in owning that asset you would have -- you would own all the capacity on that line subject to your OATT.

MR. BRYNER: That's correct.

CHMN STAFFORD: All right.

Member Little.

MEMBER LITTLE: Thank you, Mr. Chairman.

In the extremely unlikely case that you weren't the winning bidder, would that require starting all over with the project, a new CEC? Have you looked at that at all?

MR. BRYNER: Sure. So Member Little asked if we failed to be the successful bidder in this, would that require us to come back to you. So I would say likely, but that's also another reason for requesting the 300-foot-wide corridor, because that would allow us to build on the other side of the street.

CHMN STAFFORD: And this particular segment you're talking about is, looking at the proposed route construction type the bid is for, is it the entire length of Valencia Road? Is that what we're talking about?

MR. BRYNER: The bid would be for everything in yellow --

CHMN STAFFORD: Okay.

MR. BRYNER: -- along Valencia Road.

CHMN STAFFORD: Okay.

BY MS. GRABEL:

Q. And Mr. Bryner, I just want to make sure we don't have any concerning testimony on the record.

If we were not the winning recipient of the auction and we decided we were going to build on the other side of the street within that 300-foot corridor, we would have to go through the city's process given the UDC provisions; correct?

A. (Mr. Bryner) That's correct. And, in fact, that would be probably a nonstarter for us, not because of the City's provisions, but because we have a double-circuit 138kv line on the other side of the street already. There's no place else to go.

MS. GRABEL: Okay. Thank you.

CHMN STAFFORD: All right. And then so, along Valencia there's -- so you're going to convert an existing 115kV to 138, which is the WAPA-operated line.

MR. BRYNER: Correct.

CHMN STAFFORD: Okay. And there's also a 46kV circuit that shares the same poles; correct?

MR. BRYNER: Correct.

CHMN STAFFORD: Okay. So you really -- that 46kV, is that -- that's your circuit, though, right?

MR. BRYNER: That's our --

CHMN STAFFORD: On WAPA's poles, Bureau of Reclamation's poles on the WAPA-managed line.

MR. BRYNER: That's correct.

CHMN STAFFORD: Okay.

MS. GRABEL: Are we ready to move on?

CHMN STAFFORD: Are there any other questions from members? Member Fant.

MEMBER FANT: Thank you, Mr. Chair. Going back to your criteria where you consider houses both existing and future, I'm just curious, how do you check for future housing going into an area?

MR. BRYNER: So we -- that's one of the purposes of our agency briefings is to gather information. So we invite all of the planning and development services from whatever jurisdictions are involved.

And so they'll help us identify any proposed developments in the area. Also, as we reach out to landowners and we meet with the -- we become aware of developments that are occurring in that area.

So that's how we take into consideration planned future uses. It's not so much a one-off house, but it's going to be more your master planned communities, subdivisions, things like that that are

coming up.

MEMBER FANT: Thank you, sir.

MS. GRABEL: Before we move on to legal notice, we might as well talk, since we're talking about letters, let's talk about the Staff letter, if you don't mind. That is marked as Exhibit TEP-22.

MR. BRYNER: Okay.

BY MS. GRABEL:

Q. Have you seen this letter before, Mr. Bryner?

A. (Mr. Bryner) Yes, I have.

Q. Would you like to briefly describe its contents for the record?

A. (Mr. Bryner) So as is typical practice, when we file a CEC application the chairman provides that to Staff and asks them to review it and provide their recommendation or if they've got any concerns.

And so it briefly summarizes the project and includes their conclusions and Staff's conclusions and recommendations.

Q. And what was the conclusion or recommendation in this case?

A. (Mr. Bryner) I'm going to read it verbatim. It says, "Based on Staff's review of the application, the applicant's responses to a Staff-issued data request, as well as the studies provided, Staff believes the proposed

project could improve the reliability and safety of the grid and the delivery of power in Arizona."

MS. GRABEL: Thank you. Do the committee members have any questions about the Staff letter?

(No audible response.)

MS. GRABEL: Okay. Looks like not.

CHMN STAFFORD: Member Little?

MEMBER LITTLE: I have no questions, Mr. Chairman.

CHMN STAFFORD: Okay. Thank you.

BY MS. GRABEL:

Q. All right. So I guess we'll turn to Slide 92, which is the beginning of the legal notice section.

So, Mr. Bryner, will you please turn to Slide 93. Before you begin, real quickly, did you make any changes to the presentation that the committee members are looking at today compared to what was contained in Exhibit TEP-6 to walk through the legal requirements?

A. (Mr. Bryner) There's no changes to the content of the slides, but we did change the order in the presentation.

Q. Why did we do that?

A. (Mr. Bryner) Because you told me to.

Q. We wanted to --

A. (Mr. Bryner) I think it just makes more sense.

CHMN STAFFORD: It flowed better.

MS. GRABEL: It flowed better. The slides then align, but the chronological numbering of the exhibits, Clark.

BY MS. GRABEL:

Q. Okay. Let's start on Slide 93 with the ten-year plans, and we'll turn to Exhibit TEP-10, which has subparts A through F. Are these excerpts from TEP's ten-year plan for 2021 that lists this project?

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

Q. Did TEP file these ten-year plans as required by Arizona Revised Statute 40-360.02(a)?

A. (Mr. Bryner) Yes, we did.

Q. Let's turn to the next slide.

And please also turn to Exhibit TEP-11A.

A. (Mr. Bryner) Okay.

Q. Exhibit 11A is the notice of hearing that was filed in this matter dated September 28, 2026; correct?

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

Q. And is Exhibit 11B identified as the proof of publication of the notice of hearing in the Arizona Daily Star?

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

Q. Thank you. And the Arizona Daily Star is a

newspaper of general circulation in the project area; correct?

A. (Mr. Bryner) Yes.

Q. Did TEP publish that notice twice, on September 23 and September 27?

A. (Mr. Bryner) Yes, we did.

Q. Were those dates within 10 days after the September 18 application filing date?

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

Q. Okay. Can we go to the next slide?

Does this slide show that TEP provided copies of the CEC application to the locations required by the Chairman's September 30 procedural order for public viewing?

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

Q. And the document displayed on this slide is found in Exhibit TEP-11C; correct?

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

Q. And for the record when I said "this slide," it's Slide 95 to Exhibit TEP-6.

If we could go to the next slide which is Slide 99 to TEP-6.

What does this sign depict?

A. (Mr. Bryner) This depicts locations that we had determined to install street signage that included

information about the filing of the application and when this hearing would be held.

Q. Thank you. And is the map shown on the left side of Slide 99 to TEP-6 marked as Exhibit TEP-11D?

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

Q. And were the signs depicted in the middle of Slide 99 to TEP-6 generally posted in the vicinity of where they're shown on that map?

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

Q. Thank you. And do the photographs of the signs confirm that the notice was posted in compliance with the chairman's procedural order?

A. (Mr. Bryner) Yes, that's just a sampling of them. The rest of them is included in, what is it, Exhibit 11E.

Q. Yes, I think I'm getting there.

A. (Mr. Bryner) Okay.

Q. And were the signs posted? Actually, did you take these pictures or were they taken under your direction?

A. (Mr. Bryner) They were taken under my direction.

Q. Thanks. Were the sign posted at least 20 days before the hearing was set to begin?

A. (Mr. Bryner) Yes, they were. They were posted

on October 8 and October 9.

Q. Are the photographs shown marked as Exhibit TEP-11E?

A. (Mr. Bryner) Yes.

Q. And if you'll turn to TEP-11F, is this an example of the contents of the notice signs?

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

Q. And is that the same as what's shown on the right of Slide 99 to TEP-6?

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

Q. Thank you. Let's turn to the next slide.

And this is Slide 96 to TEP-6.

Does this slide depict proof that TEP mailed copies of the notice of hearing to the affected jurisdictions?

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

Q. And are these notices found in Exhibit TEP-11G?

A. (Mr. Bryner) Yes.

Q. And what are the affected jurisdictions identified for this matter?

A. (Mr. Bryner) So we had four. We had the Arizona Department of Transportation, or ADOT; Pima County; the City of Tucson; as well as the Arizona State Land Department.

Q. Thank you. And if you can turn to the next

slide. This is Slide 97 to TEP-6.

Did TEP also send copies of the notice of hearing to the Pascua Yaqui Tribe, the Tohono O'odham Nation, and Bureau of Land Management?

A. (Mr. Bryner) Yes, we did.

Q. And why did we do that?

A. (Mr. Bryner) Just a courtesy. They're large landowners, if you will, or tribal nations in the project area and we felt it was prudent to ensure that they knew what was happening.

Q. Thank you. And are those letters marked as Exhibit 11H?

A. (Mr. Bryner) Yes.

Q. If you could turn to the next slide, and then TEP-12. And for the record the next slide is Slide 94 to TEP-6.

And what does this depict?

A. (Mr. Bryner) This is our -- just proof of our filing fee for the application.

Q. Thank you. And it's in the amount of $1,000, and is that consistent with the statutory requirement for a transmission line of this size?

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

Q. Thank you. Did TEP also direct communications with the Arizona Corporation Commission business offices

confirming that TEP would cover the expenses of this hearing today?

A. (Mr. Bryner) Yes.

Q. Thank you. And if you want to turn to Slide 100, which I believe is the next slide, in addition to the legal notice required by law did TEP perform other outreach regarding the hearing in this matter?

A. (Mr. Bryner) Yes, we did.

Q. What else did we do?

A. (Mr. Bryner) So we also ran a social media campaign on Instagram and Facebook which we ran in two sessions, or ad campaigns for, one, basically a week following the filing of the application and then a second campaign that ran the week preceding this hearing.

And the metrics, if you're interested in them for those ad campaigns, are shown in the image on Slide 100. And the most recent ad campaign, I just got those numbers earlier today, they're actually almost identical. We did have 136,000 total impressions, 24,000 and change reach, 150 clicks. But the CTR, the click through rate, remained the same at about .1 percent.

CHMN STAFFORD: So refresh my memory. Impressions means times that somebody looked at it.

MR. BRYNER: That's correct.

CHMN STAFFORD: And then reach is how many

different individual somebodies looked at it.

MR. BRYNER: That's correct.

CHMN STAFFORD: And then clicks is how many people actually clicked on the information to get -- on the ad to get more information.

MR. BRYNER: That's correct.

CHMN STAFFORD: And the click through rate is what percentage of the people who saw -- the individuals that saw it actually took further action.

MR. BRYNER: Correct. So it's the clicks divided by impressions.

CHMN STAFFORD: Okay.

MR. BRYNER: You're very good.

In addition to that, we also posted flyers, so this is something that we did as part of our open house advertising. There's other areas that are not the roadways, but where the members of the community frequent, and so we put flyers up on community bulletin boards and different things like that with the same information, so information pointing them to where they could obtain more information about the application. How they could come and participate in the hearing.

And then we also sent out mailed notifications, postcards to everybody on our mailing list. So, again, as Ms. Vining testified earlier, that

was not the area of analysis just around our routes, but our siting study area. And an area extending one mile beyond that. So within that area, there were over 43,000 addresses, to homes, businesses, landowners within that area that received postcard and notice of this hearing.

And then we also sent out e-mails. So this is consistent with what we did to advertise for our open houses as well. So we sent out e-mails to -- over 18,000 e-mails, so those were TEP customers that we had their e-mail addresses for as well as individuals who had requested to be placed on that e-mail address -- or e-mail list through -- as part of our outreach process.

We also sent e-mails to all of our identified stakeholders, all the elected officials as well as tribal representatives.

CHMN STAFFORD: Was Mr. Borman on that list?

MR. BRYNER: I don't know if he was directly.

MR. BORMAN: I can say that I'm pretty sure I'm not on the list, but I believe the City was.

CHMN STAFFORD: Okay.

MR. BRYNER: I can definitely confirm we had multiple members from the City.

CHMN STAFFORD: Okay.

MR. BRYNER: And then lastly, we posted the notice of hearing on our web page which always included our most recent updates on the project and information on how folks could attend or participate virtually in the hearing.

BY MS. GRABEL:

Q. Do you have any conclusions you'd like to present, Mr. Bryner?

A. (Mr. Bryner) Sure. So just briefly, in conclusion, the Southwest Tucson Reliability Project is needed because the existing distribution system in the project area is supported by a single 46kV source. Which means the system is at risk of extended customer outages.

Further, the 46kV system is at capacity to serve both our existing and any future customers in the area. The project will replace the existing 46kV system with a new looped 138kV transmission line and substation that will support long-term reliability and growth.

TEP identified the proposed route only after a comprehensive planning and siting process that included extensive community outreach and engagement. The proposed route was designed to reflect community values and minimize impact on the environment and existing and planned land uses.

83 percent of the proposed route uses either

existing facilities as they are today, adds a second circuit to existing poles or rebuilds existing 46kV lines with slightly larger steel poles.

This minimizes both costs and impacts, which means that I can confidently state that the proposed route really does balance the need for an adequate, economical, and reliable supply of electric power and the effects to the environment and ecology of the state.

So we respectfully request that you approve our application or our certificate of environmental compatibility for this project.

And let me remind you again we do need both Phase 1 and Phase 2. It's not either/or.

CHMN STAFFORD: Thank you.

Ms. Grabel, so you have -- I believe you've covered all your exhibits?

MS. GRABEL: I believe I have, and I'd like to move to admit Exhibit TEP-1 through 25.

CHMN STAFFORD: All right. TEP Exhibits 1 through 25, including Exhibits 10 and 11, all their multiple subparts, are admitted.

(Exhibits TEP-1 through TEP-25 were admitted.)

CHMN STAFFORD: Are you ready to give your closing?

MS. GRABEL: I am.
CHMN STAFFORD: Oh, wait. Mr. Borman?
MR. BORMAN: Yes.
CHMN STAFFORD: Do you have any questions for this panel?
MR. BORMAN: I do not have any questions for this panel. Thank you.
CHMN STAFFORD: All right. With that, Ms. Grabel, would you like to give your closing?
MS. GRABEL: Certainly. I think Mr. Bryner did a very good job in his conclusion summarizing why this project makes particular sense with this community.
I'd like to start by thanking the committee as always for your time. I know that this is a time-consuming job and you all always impress me with how much you prepare and how you know the record.
I'd like to thank Jen for her time as well, and the cool photo she sent of us to our site.
I'd like to thank Brad from the City for the time he's taken with the City's cooperation for the stipulation and the active participation in this hearing including asking some really good questions on the tour today.
I think we should recognize Mr. Bryner and his team for finding a route that requires very little

new construction in this area. I think the team, as we've heard, they listened to the public, they kept the City of Tucson's regulations in mind, and they found a route that both benefits -- that bolsters reliability in this area that's been subject to outages with very little environmental impact.

So I think the team did a great job and we respectfully request the issuance of the CEC. Thank you.

CHMN STAFFORD: Thank you, Ms. Grabel. I believe that's the briefest closing I've seen you do.

MS. GRABEL: I had one shorter.

CHMN STAFFORD: All right. Mr. Borman, do you have any -- would you like to make a closing as well?

MR. BORMAN: I could be even briefer than Ms. Grabel. Thank you, first of all, for the opportunity to participate. Thank you, the committee, to the company and their counsel for assisting the City in understanding exactly what this project is seeking to do, and how it's going to do it. And to allay the concerns that we previous expressed in this matter. So with that, I would thank you all, and have a great weekend.

CHMN STAFFORD: Thank you. All right. I guess now it's time we should begin our discussions of the CEC which is the draft one that's Exhibit 13. We could pull that up briefly.

Oh, you unplugged the monitor again, huh?

MR. BRYNER: Did you want to pull it up?

CHMN STAFFORD: Yes.

MR. BRYNER: I think Mr. Ancharski is going to.

CHMN STAFFORD: You know what, why don't we take a brief five to 10-minute recess and come back. Before I get out Chairman's 1 and 2, I want to kind of discuss it generally before we break. I'll give you a preview.

The thing is the fact that, what is it, 12 percent of this is actually new build, the rest is all either existing lines with no changes or adding a conductor, I think that's underrepresented in the certificate. I think that needs to be emphasized stronger because that plays heavily into why it's environmentally compatible is the fact that so much of it is collocated on existing infrastructure.

I think it needs to play up in the certificate, especially in the project description. And I think, I'm looking to include this proposed route construction type, something like that, in the Exhibit A as well to emphasize the point of how much of this is actually already there.

So with that, let's take a brief recess.

(Recess from 2:03 p.m. to 2:26 p.m.)

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

All right. We've pulled up the Hearing Exhibit 13, which is the proposed CEC.

Now, in the description I think we should talk more about how much of it's already there like the percentage that Mr. Bryner was talking about like we have was it 12 or 16 percent is actually new construction. We have some percentage of it's going to be just energizing existing poles and conductors differently. And then we have some that's going to be -- you're going to convert some 46kV to 138, but it's all you need to do is -- wait, don't -- just replace poles, but it's going to be in the same locations as existing poles.

I just -- I think you guys should spell that out a lot more in the description, and then have the proposed route construction type as part of Exhibit A because people will come back and say, look, we're -- this is such a minimal impact because we're using so much, we're collocating so much and even using underutilized infrastructure.

MS. GRABEL: So I think that would be well inserted after line 25 where it says the City of Tucson. Maybe make the A map a second paragraph.

And while he's looking for that, Clark, when you gave your testimony regarding the slide that talks about the construction types, you isolated each construction type by mileage and percentage. Let's basically include that in this. I think that's what Chairman Stafford is looking for.

CHMN STAFFORD: Yes, I think you underplayed it in the draft CEC. You buried the lead, so to speak.

MR. BRYNER: Sure. We can certainly add those in, so we would have 58 percent is existing facilities.

MS. GRABEL: Let's start with only --

MR. BRYNER: With the new build?

MS. GRABEL: Yeah, start with the new build only 17 percent, 16.8 percent.

MR. BRYNER: So I'm a rounder.

MS. GRABEL: Okay.

MR. BRYNER: Are you okay with rounding?

CHMN STAFFORD: Yes.

MR. BRYNER: 17 percent is new build.

CHMN STAFFORD: And so that would require a 300-foot right-of-way -- a 300-foot corridor, excuse me.

MR. BRYNER: Corridor, correct. 100 -- potentially up to a 100-foot-wide right-of-way.

CHMN STAFFORD: Okay.

MS. GRABEL: And let's say only approximately 17 percent because I think that's important.

CHMN STAFFORD: Yeah. And then we got the --

MS. GRABEL: And then maybe say period, "The rest of the project leverages existing infrastructure as follows:" And then put a colon.

CHMN STAFFORD: And then we have -- let's see, so you have the portion that's going to be rebuilt existing. I'm just looking at the construction type and going down.

MS. GRABEL: Yeah.

MR. BRYNER: Okay.

CHMN STAFFORD: And so rebuild existing 46kV line and convert to 138. That's the one you're going to replace the poles; right?

MR. BRYNER: That would be 9 percent, and that's along Camino Verde.

MS. GRABEL: So, Eli, say 9 percent rebuilds existing poles with a double circuit?

CHMN STAFFORD: Right.

MR. BRYNER: That's actually a rebuild. If we're talking what I was talking about, that's rebuild 46

to 138. That's not double circuit. It's single circuit.

CHMN STAFFORD: Oh, okay.

MS. GRABEL: Rebuilds a 46kV line to a 138kV line on a single circuit.

CHMN STAFFORD: Right. So that's -- and it's going to have the same pole locations.

Is that where the -- that 47 is going away, though; right?

MR. BRYNER: That 40 --

CHMN STAFFORD: That 46 is going away; right?

MR. BRYNER: Correct. That 46kV will go away.

CHMN STAFFORD: Okay. But it's going to be -- you're going to replace -- the pole placement will be the same, so it's the footprint of it -- the impact of the footprint is basically nil?

MR. BRYNER: Our plan would be roughly pole for pole.

CHMN STAFFORD: Okay.

MR. BRYNER: There's another stretch that's similar to that but different, so that's the --

MS. GRABEL: Hold on. Let me finish this sentence.

MR. BRYNER: Oh, sorry.

MS. GRABEL: So 9 percent rebuilds a 46kV line to a 138kv line using the same environmental footprint? Something like that?

CHMN STAFFORD: Just saying, you know, basically you're replacing it pole for pole in the same -- using the same structure locations or something.

MS. GRABEL: Using the same structure location.

MR. BRYNER: Maybe to the extent feasible. You just never know. Sometimes you run into something.

CHMN STAFFORD: Right.

MS. GRABEL: Okay. Then put semicolon.

CHMN STAFFORD: And then on the red section along Spencer Avenue let's add 138kV circuit to existing structures.

MS. GRABEL: So what percent of the project is that?

MR. BRYNER: 13 percent.

MS. GRABEL: 13 percent of the project adds a second circuit.

CHMN STAFFORD: To an existing set of structures.

MS. GRABEL: To an existing set of structures.

CHMN STAFFORD: But, again, no new

structures.

MS. GRABEL: To existing set of structures, and take out the N after and. Adds a second circuit to an existing set of structures. No, yeah. Okay. And then the 53 percent or whatever?

MR. BRYNER: So 58 -- it's actually broken out into two different categories on the map that we were planning to use. So maybe we ought to call them out on those two different categories.

So we had 29 percent that was reenergizing an existing 115kV to a 138kV.

CHMN STAFFORD: And that's the blue or that's the yellow?

MR. BRYNER: That's the yellow.

CHMN STAFFORD: Okay.

MR. BRYNER: I guess they're both 29 percent.

And then the blue -- sorry, I'll let you finish that line. Wordsmith it as needed.

MS. GRABEL: Okay.

MR. BRYNER: And then we would have 29 percent where we would convert or reenergize the existing 46kV as a 138kV circuit, again, on existing structures, if we want to specify that.

MS. GRABEL: Let's say to 138kV. And then

put the "on existing structures" on the one before it too. Yeah, they're both on there.

MR. BRYNER: But, yeah, 58 percent in total.

We should be missing 3 percent; is that correct?

CHMN STAFFORD: That's the green part still.

MR. BRYNER: That's the green part. So hopefully we're at 97. Otherwise our rounding is off.

MS. GRABEL: 3 percent, what does that 3 percent do?

MR. BRYNER: That would be rebuilding an existing 46kV to a double-circuit 46/138kV line.

CHMN STAFFORD: And that'll be new structures in the same locations; right?

MR. BRYNER: Again, similar to the one we did for the pink area.

CHMN STAFFORD: Right.

MR. BRYNER: In the same locations to the extent feasible.

CHMN STAFFORD: Okay. 4.

MS. HILL: To existing structures to the extent feasible.

Is it existing structures or existing

locations?

MR. BRYNER: Existing locations the structures will go away.

MS. HILL: Existing locations.

CHMN STAFFORD: Right. That's the green you're talking about now; right?

MR. BRYNER: Correct.

CHMN STAFFORD: Okay.

MS. GRABEL: Actually let's not say existing locations. Let's say the same locations, the same structure locations like we did above.

MS. HILL: That's better.

MS. GRABEL: So then we can just say, Maps of the final approved project including the project corridor and construction types.

MS. HILL: Changes to are --

CHMN STAFFORD: All right. And then I think that's everything for the -- that gets the information -- we don't need to add anything else to where it talks about the Phase 1 or Phase 2 do you think because it's all spelled out in the first part?

MS. HILL: Yeah.

MR. BRYNER: Chairman, do you want to make a reference to the new exhibit?

CHMN STAFFORD: What new exhibit?

MR. BRYNER: Well. The exhibit that you asked to include with the construction type.

MS. GRABEL: We did.

MR. BRYNER: Oh, you already did?

MS. GRABEL: Yeah, so it's still going to be an A. It's just going to be two pages, and we made it maps instead of map.

CHMN STAFFORD: Right. I think how this is going to work is that once we kind of talk through this here I'll have you send the new Word CEC to Tod. And then I can put out Chairman's 1 and 2.

And then so, yeah, Exhibit A it lists it as a 300-foot-wide corridor, but that's not really what's going to happen because it's -- the only really corridor that's getting approved is the two darker yellow sections; right? Everything else is going to be -- it's not going to be -- the right-of-way is going to be what it's in now. The corridor is going to be the existing right-of-way.

MS. GRABEL: What if we say the proposed width of the corridor for the project is up to 300 feet wide to allow for routing flexibility in the new build section?

CHMN STAFFORD: Okay.

MR. BRYNER: I'm wondering if -- we might

need to amend our current Exhibit A that describes the corridor because I think it describes everywhere.

CHMN STAFFORD: Yeah, I think so. I'm looking at that here. I think what we could do is just this portion of the line will be an existing right-of-way or something like that for the Exhibit A.

Because basically it's all -- I remember the time we had that one we had a case where it's a gen-tie, and they had the corridor across another developer's solar field. And so the corridor through there was the 100-foot right-of-way because that's where it had to go because they made a deal with them because they had intervened because if they hadn't, then they would have been blocked out of the substation. They would have had to go quite -- added miles to the route.

But the way they reflected it was just, you know, the corridor was 100 feet wide for the section where it crossed the other developer's property because I just think that looks -- it shows that the impact is it's not a 300-foot corridor. It's going to be an existing 100-foot or whatever it is right-of-way.

MS. GRABEL: Do you want to include a line that says the reminder of the project will be located in an existing right-of-way?

CHMN STAFFORD: Yeah.

MS. GRABEL: Are you okay with that, Clark?

MR. BRYNER: Yeah, I'm fine with that. I mean, that is what we're going to do. And even to the extent if we were not able to acquire the WAPA line, we would have to come back to you because, as we discussed in the City of Tucson, there's no other place for us to go.

CHMN STAFFORD: Right. Right.

MR. BRYNER: So I'm comfortable with that.

MS. GRABEL: I do think we need to add it, though. I don't think that last sentence addresses the Chairman's point. So I think it needs to say in the -- the rest -- the rest of the project -- no, before you say in areas outside of -- of the project will be located within existing rights-of-way.

Is that correct, Mr. Chairman?

CHMN STAFFORD: I think so, yeah.

MS. GRABEL: Clark?

MR. BRYNER: Let me just come look at it.

MS. GRABEL: Okay.

MR. BRYNER: I just want to confirm, so it says within existing rights-of-way, which is true, but we don't necessarily have those rights-of-way ourselves.

CHMN STAFFORD: It doesn't say TEP's rights-of-way.

MR. BRYNER: Okay. So as long as that's correct from a legal standpoint then I'm okay with that.

CHMN STAFFORD: I think that's accurate.

MS. GRABEL: Uh-huh.

CHMN STAFFORD: I'm seeing nods from the rest of the attorneys.

MR. BORMAN: Yes.

CHMN STAFFORD: Okay. And then you make the corresponding changes to Exhibit A. And I don't think you'll have to do that at this very second. I think how we can address that is once we get to the Exhibit A when we are deliberating and voting then we can go ahead and make the changes, and then you can get that to Tod later when we get the transcripts.

MS. GRABEL: Okay.

CHMN STAFFORD: And I think for Exhibit A we're going to add the construction type as a second page of Exhibit A. And then, I guess, the other thing was Member Hill had mentioned that for the Exhibit B, was there -- did you guys look at that yet? Is there something missing that needs to be added to Exhibit B?

MS. GRABEL: I think he --

MR. BRYNER: So.

MS. GRABEL: Go ahead, please, Mr. Bryner.

MR. BRYNER: So we reviewed it line by

line, and everything appeared to be on Exhibit B with the exception of one -- it was kind of an implied condition.

MR. DARLING: It's in the letter, not in Exhibit B. I have to find the right one. Here we go.

MR. BRYNER: So what our proposal was, and Member Hill will have to let us know if this addresses it, but we wanted to add a condition that said that we will perform preconstruction site visits to confirm presence/absence, condition, and related regulatory requirements for all waterway, flood plain, and riparian habitat.

CHMN STAFFORD: And that would be on page what of Exhibit B?

MR. BRYNER: We would add that to the standard condition.

CHMN STAFFORD: Oh, okay, in the CEC, not Exhibit B you're talking about Condition 5 then?

Are we talking about Exhibit B or are we talking about the condition in the certificate itself?

MR. BRYNER: The condition in the certificate itself under -- under Exhibit B.

MR. ANCHARSKI: No, no. Under Exhibit B?

MR. BRYNER: Sorry. Yes, under Exhibit B to the certificate we would add that as a condition under the standard EPMs.

CHMN STAFFORD: Well, it's not a condition if it's in Exhibit B it's a mitigation measure that's adopted pursuant to Condition 5 of the CEC.

MR. BRYNER: Yes. Okay. Yes.

CHMN STAFFORD: Is that what's on the screen now?

MR. ANCHARSKI: Yes, this is Exhibit B as attached to TEP-13. We've not made any changes at this point.

CHMN STAFFORD: And where are the changes you're speaking of, Mr. Bryner?

MR. BRYNER: They are in Exhibit 16 in the letter --

CHMN STAFFORD: No, I'm talking about what would it look like -- where in the Exhibit B to the certificate would it be put?

MR. BRYNER: We would put that under the standard EPM section.

CHMN STAFFORD: Okay.

MR. BRYNER: Because it's not really specific to any species or it's more a habitat condition or mitigation.

CHMN STAFFORD: Member Hill, thoughts?

MEMBER HILL: Thank you, Mr. Bryner. That's exactly what I was looking for. I think just it

was part of my earlier question about habitats. So if you add that, I think it will be complete.

MR. BRYNER: Excellent.

CHMN STAFFORD: Okay. And then back to we have the stipulation between the City and the applicant.

MS. GRABEL: We do. We thought we would add that to the Condition 4 which talks about the applicant complying with all master plans, regulations, ordinances, et cetera. And then just add language that says the stipulation is consistent -- oh, I'm sorry, this condition. My bad. "This condition is consistent with the joint stipulation."

CHMN STAFFORD: Between the City of Tucson and the applicant attached as Exhibit C?

MS. GRABEL: Correct.

CHMN STAFFORD: Okay.

MS. GRABEL: Call it a joint stipulation.

CHMN STAFFORD: All right. Is there anything else?

MS. GRABEL: Oh, yeah, we need to add the City of Tucson's intervention.

CHMN STAFFORD: Oh, and in the introduction?

MS. GRABEL: Yeah.

CHMN STAFFORD: And then there was one

person who made -- member of the public who made comment, and they were -- they weren't opposed, but they didn't support, but they just raised concerns that had been addressed.

MS. GRABEL: Do we put that in the --

CHMN STAFFORD: Yeah, we've been doing that because the Commissioners like to see the number of people who made public comment and what they were commenting about. If it's a lot, then you can't put it all in there.

I think we did some -- I mean, we had several -- we had broken out the categories for the SRP one that we did where we said we had so many people who came to speak in favor, certain amount they said they were opposed unless conditions were added, and other ones were just straight out opposed to it. So the Commissioners like to see that so they can get a feel for what the public comment was.

MS. GRABEL: Okay.

CHMN STAFFORD: Just on the face of the document as opposed to having to go through the whole transcript.

Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Perhaps you could say seeking clarification

upon EMF impacts on his property.

CHMN STAFFORD: Okay. We can even just -- I mean, we can address that. I'm just letting you know that I've been putting that in there. And I can go back and look at his -- the transcript itself when we clean up the certificate before we file it with the Commission to see, you know, what exactly it was he was -- because it wasn't straight-up opposition. It was he had some concerns -- my recollection is that he spoke to the applicant and you had assuaged his fears.

MEMBER FANT: Seeks clarifications.

CHMN STAFFORD: Yeah. So -- but I always go back and check the transcript to make sure I'm -- my recollection is accurate.

MS. GRABEL: Why don't we just say seeking information regarding the impact of this project to his planned ownership, home ownership or something like that.

CHMN STAFFORD: Right. He was the gentleman that showed up and spoke during the tour.

MS. GRABEL: You've got "information regarding" twice.

MR. BRYNER: That's correct.

MS. GRABEL: Thank you.

(Reporter clarification.)

MS. GRABEL: The impact of this project on

his land, period.

CHMN STAFFORD: Okay. All right. Anything else?

All right. Let's see -- let's go ahead and have you e-mail -- did you make the changes to the Exhibit B as well?

MR. ANCHARSKI: Not yet, but we can.

CHMN STAFFORD: We can do that when we come back then. Just go ahead and get the draft -- e-mail the draft certificate to Tod. We'll take probably about a 20-minute recess. I'll get Chairman's 1 and 2 out. And then we'll come back and do deliberations, and we can adjust -- we can adjust Exhibit B at that time.

And then we can discuss any kind of changes to Exhibit A, which is just adding the second page and then clarifying where the actual corridor is, whether this is existing right-of-way or a 300-foot corridor that's going to have 100-foot rights-of-way in it eventually.

THE COURT REPORTER: Are we off the record?

CHMN STAFFORD: Not yet. It's showing we're in recess on the screen.

All right. I'm just waiting for Mr. Ancharski to give me the thumbs up that he's got what he needs to get it sent to Tod.

Okay. All right. Go ahead and send that to him, and we stand in recess.

(Recess from 2:50 p.m. to 3:56 p.m.)

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

All right. Members should have copies of Chairman's 1 and 2.

Which one do you have that's got the tracked changes showing?

MR. ANCHARSKI: Currently on the screen is Chairman Exhibit 2.

CHMN STAFFORD: That's the Word one you can see the changes.

MR. ANCHARSKI: Correct.

CHMN STAFFORD: Now, the online members should have both of them as well. I think Tod may have sent a corrected Chairman's 1 that shows that's a PDF that has the tracked changes showing.

I'm seeing nods from Member Hill.

Members Little and Fontes, do you have those?

MEMBER LITTLE: I have it, Mr. Chairman.

MEMBER FONTES: I have it as well.

CHMN STAFFORD: All right. Thank you.

All right. If the members could review the

introduction, and I could get a motion -- of course, we'll need to change -- correct the dates and fill in the vote count, but other than that can we get a motion to adopt introduction?

MEMBER FANT: Mr. Chair, I move to adopt the introduction in Exhibit 2 as amended.

CHMN STAFFORD: It's already --

MEMBER FANT: I move that we introduce -- I move that we adopt the introduction.

CHMN STAFFORD: As it appears on Chairman's --

MEMBER FANT: Exhibit 2.

CHMN STAFFORD: -- Exhibit 2? Okay.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, the introduction is adopted.

On to the project description. I think we hashed this out earlier. I think the only change that I made to what we've shown before was that I reviewed the

final sentence because we already said -- made that statement about the maps being Exhibit A at the beginning of the -- at the end of the project description portion before it starts speaking specifically about Phase 1 and Phase 2.

MEMBER FANT: Mr. Chair, I move that we adopt the project description as reflected in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, the project description is adopted.

On to conditions.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 1 as written in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 1 is adopted.

Number 2.

MEMBER FANT: Mr. Chair, I move we adopt Exhibit 2 as shown in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 2 is adopted.

Number 3.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 3 as written in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 3 is adopted.

Number 4.

MEMBER FANT: Mr. Chair, I move we adopt Condition 4 as written in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 4 is adopted.

Number 5.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 5 in Exhibit 2, Chairman Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 5 is adopted.

We'll circle back to Exhibit B. I believe there was going to be an amendment to Exhibit B.

Mr. Ancharski is nodding. Okay.

Condition 6.

MEMBER FANT: Mr. Chair, I move we adopt Exhibit -- Condition 6 in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 6 is adopted.

Number 7.

MEMBER FANT: Mr. Chair, I move we adopt Condition 7 as written in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 7 is adopted.

Number 8.

MEMBER FANT: Mr. Chair, I review we adopt Condition 8 in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 8 is adopted.

Number 9.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 9 as reflected in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 9 is adopted.

Number 10.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 10 as reflected in Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 10 is adopted.

Number 11.

MEMBER FANT: Mr. Chair, I move we adopt Condition 11 as drafted in Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 11 is adopted.

Number 12.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 12 as written in Chairman Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 12 is adopted.

Number 13.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 13 as scrivened in Chairman Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 13

is adopted.

Number 14.

MEMBER FANT: Mr. Chair, I move we adopt Condition 14 as detailed in Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 14 is adopted.

Number 15.

MEMBER FANT: Mr. Chair, I move we adopt Condition 15 as displayed in Exhibit 2, Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 15

is adopted.

Number 16.

MEMBER FANT: Mr. Chair, I move we adopt Condition 16 as proposed in Chairman Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 16 is adopted.

All right. It looks like you look at -- we don't have the standard Condition 17 that says they'll provide Commission Staff with a copy of the interconnection agreement because there is not an interconnection agreement.

And the Staff's letter was satisfactory, correct, Member Little?

MEMBER HILL: Yes.

CHMN STAFFORD: Okay.

MEMBER LITTLE: Absolutely.

CHMN STAFFORD: So we will need to -- let's see, we'll need to renumber because 17 is stricken, but

the next one is 18 and not 17.

MS. GRABEL: It's actually 17.

CHMN STAFFORD: What I'm looking at it's not. Hang on.

MEMBER HILL: What I'm looking at that Tod sent me is 17.

CHMN STAFFORD: It is?

MEMBER HILL: Yeah.

CHMN STAFFORD: It looks like the one I have here doesn't show the changes.

MEMBER HILL: Maybe Tod's one step ahead of you.

CHMN STAFFORD: I think Tod resent you Chairman's 1 that had the tracked changes on the PDF because the first one didn't show it.

Which one are you looking at?

MEMBER HILL: I think it shows 17 is in purple. I don't know that colors matter. It is a PDF, though. He did send me a PDF.

CHMN STAFFORD: Well, we're going off -- here in the room we're going off of 2 because that's the one that shows the tracked changes that we had. And I'm looking at my 2, and it has it's -- the Condition 17 is struck -- is stricken, and but the number is still there. So I just -- so when I say the number, it's going to

be -- what does your tablet say?

MEMBER FANT: 18.

CHMN STAFFORD: What about yours?

MEMBER DRAGO: Mine says 17 but it's stricken.

CHMN STAFFORD: Below that it's 18.

MEMBER DRAGO: 18.

CHMN STAFFORD: Well, okay, yeah, we're not having the corrected numbers. So I think the members online may be looking a little bit -- there's I think they got the corrected Chairman's 1 that's a PDF, but we didn't have that when we started this here, so we're looking at the -- all right. So I'm going to say 17 is already missing.

So can I get a motion to adopt Condition 18 as it appears in Chairman 2, which is the statement that "The applicant shall participate in good faith in state and regional transmission forums."

And I believe the members online that has been renumbered for you but not for us.

MEMBER FANT: I move to adopt Condition 18 as shown in Chairman's Exhibit 2, the version we have here in the room in the meeting room.

CHMN STAFFORD: All right.

MEMBER DRAGO: Second.

MEMBER HILL: I'll second that.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Condition 18 is adopted.
Which will subsequently be numbered as 17 at some point, but I think we can address that with the scrivener's error corrections to the CEC. We don't need to go and renumber them as we vote.
Okay. On to Condition 19. This is the pipeline one.
MEMBER FANT: Mr. Chair, I move that we adopt Condition 19 as drafted in Chairman's Exhibit 2.
MEMBER HILL: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Condition 19

is adopted.

Number 20.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 20 as reflected in our version of Chairman's Exhibit 2.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

Looking to the applicant to confirm that 115 feet is the maximum height?

MS. GRABEL: That's correct.

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

All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 20 is adopted.

Number 21.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 21 as shown here in the meeting room on Chairman's Exhibit 2.

MEMBER HILL: Second.

MEMBER DRAGO: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 21 is adopted.

Number 22.

MEMBER FANT: Mr. Chair, I move we adopt Condition 22 as reflected on the Chairman's exhibit here in the meeting room Exhibit 2.

MEMBER HILL: Second.

MEMBER FANT: I apologize.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 22 is adopted.

Number 23.

MEMBER FANT: Mr. Chair, I move that we adopt Condition 23 as shown on the Chairman's exhibit here in the meeting room, Exhibit 2. I'm sorry.

MEMBER HILL: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Condition 23 is adopted.
Number 24.
MEMBER FANT: Mr. Chair, I move that we adopt Condition 24 as reflected on Chairman's Exhibit 2 here in the meeting room.
MEMBER HILL: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Condition 24 is adopted.
Number 25.
MEMBER FANT: Mr. Chair, I move that we adopt Condition 25 as shown in Chairman's Exhibit 2 here

in the meeting room.

MEMBER HILL: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Condition 25 is adopted.

On to the Findings of Fact and Conclusions of Law.

We have -- we've added back the Number 7 about the project substation.

Was that intentional or was that --

MR. ANCHARSKI: Uh-huh, yeah.

CHMN STAFFORD: -- an oversight?

MS. GRABEL: I think it was on whatever CEC 261 is, which is why it's there.

Have you been striking it in others?

CHMN STAFFORD: It depends on the context. I think normally we wouldn't include it, but I think in some circumstances when it was appropriate because there was some discussion or confusion about substations in the proceeding.

I mean, either way it doesn't -- it doesn't affect anything. It's the substations are not jurisdictional. I mean, they're not jurisdictional whether we state so or not.

MS. GRABEL: Right. I don't care either way.

CHMN STAFFORD: Okay. Do we need to take these individually or can we move Findings of Fact and Conclusions of Law 1 through 7?

MEMBER FANT: Mr. Chair, I move Findings of Fact and Conclusions of Law Numbers 1 through 7 on Chairman's Exhibit 2 here in the meeting room.

MEMBER HILL: Second.

MEMBER DRAGO: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Findings of Fact and Conclusions Of Law 1 through 7 are adopted.

On to the Exhibit A.

We will be using Exhibit A from TEP-13 for page 1 of Exhibit A; correct?

MR. ANCHARSKI: Chairman, we were able to work through an updated draft of that consistent with the conversation we had prior to coming back that does reflect the corridors in certain areas. So maybe if Mr. Bryner wants to describe that a little bit further.

CHMN STAFFORD: Well, it's basically it shows that the corridor -- the 300-foot corridor is for the new build sections; correct?

MR. BRYNER: That's correct. It reflects the 300-foot corridor and the new build sections along Drexel Road and Westover as well as more or less parallel to Ajo Highway. Everywhere else where it used to reference 300-foot corridor it's been replaced with route. So basically the route extends along whatever --

CHMN STAFFORD: Okay. Well, the beginning point was the Exhibit A from TEP-3.

Can I get a motion to adopt that as the Exhibit A for the certificate?

MEMBER FANT: So moved.

MEMBER HILL: Second.

MEMBER LITTLE: Second.

CHMN STAFFORD: All right. Now can I get a motion to amend it to make the changes that we just discussed about having the 300-foot corridor for the new build sections and the right-of-way width for the other

parts of the line that we discussed previously and that --

MEMBER LITTLE: So moved.

CHMN STAFFORD: -- Mr. Bryner just described?

MEMBER HILL: Toby moved. I'll second.

CHMN STAFFORD: Okay. Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

MEMBER FANT: That's a vote on the amendment; right?

CHMN STAFFORD: Yeah.

Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, the amendment passes.

Can I get a motion to adopt -- wait. Then we got to amend it again. We're going to add a second page, which would be the map from Slide 17 of TEP Exhibit 6; correct?

MR. ANCHARSKI: Correct.

CHMN STAFFORD: All right. And then can I

get a motion to make that change to it?

MEMBER HILL: To add page 2 to Exhibit A?

CHMN STAFFORD: Yes.

MEMBER HILL: So moved.

MEMBER LITTLE: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, the amendment is adopted.

The only thing -- the only other thing that I -- improvement I could think of making to this would be we have the description -- the project description that tells the percentage of what the line are as it goes through and describes what's happening with them. If we could add that to the color coding of the route construction type so it will be easier to follow along with.

MR. BRYNER: We'll go ahead and make that change, Mr. Chairman.

CHMN STAFFORD: Okay. Can I get a motion to amend the second page of Exhibit A to do that?

MEMBER HILL: So moved.
CHMN STAFFORD: Did I hear a second?
MEMBER DRAGO: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, that amendment's adopted.
All right. Can I get a motion to adopt Exhibit A as amended?
MEMBER HILL: So moved.
MEMBER FANT: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Exhibit A as amended is adopted.
On to Exhibit B. That would be -- the starting point would be the Exhibit B from Hearing

Exhibit TEP-13. I believe there was going to -- there was some language that we were going to add to that.

MEMBER FANT: So moved.

CHMN STAFFORD: Let's get it pulled up.

And I'm looking at Member Hill.

MEMBER HILL: Yep. I'm looking at you and the exhibit.

CHMN STAFFORD: Can you see -- now, Mr. Ancharski, you've got Exhibit B up on the screen.

MS. GRABEL: I can read that if that would be helpful.

CHMN STAFFORD: Yes. So the change that we're -- okay. So we moved the Exhibit B from TEP-13. Now we're going to have an amendment to it that's going to say --

MEMBER FANT: We need somebody to second the first motion.

CHMN STAFFORD: I thought we had already.

MEMBER FANT: Did we? Okay.

MS. GRABEL: It is going to say, "Conduct preconstruction site visits to confirm presence/absence, condition, and related regulatory requirements for all waterway, floodplain, and riparian habitat."

CHMN STAFFORD: Is that your motion, Member Hill?

MEMBER HILL: It is.
I need a second.
MEMBER DRAGO: Second.
MEMBER HILL: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, the amendment is adopted.
Can I get a motion to adopt Exhibit B as amended?
MEMBER FANT: So moved.
MEMBER HILL: So moved.
MEMBER FANT: Sorry.
MEMBER HILL: Second.
CHMN STAFFORD: Further discussion?
(No audible response.)
CHMN STAFFORD: All in favor say "aye."
(A chorus of "ayes.")
CHMN STAFFORD: Opposed?
(No audible response.)
CHMN STAFFORD: Hearing none, Exhibit B as

amended is adopted.

All right. And can I get a motion to add Exhibit C to the certificate? It would be Hearing Exhibit TEP-24 to add that as Exhibit C.

MEMBER HILL: So moved.

MEMBER DRAGO: Second.

MEMBER FANT: Can you just clarify what Exhibit C is now?

CHMN STAFFORD: It is the stipulation about the Gateway Corridor Zone applicability and this project between the City and the applicant.

MEMBER FANT: Tucson? Okay.

CHMN STAFFORD: Do we have a second?

MEMBER DRAGO: Yeah.

CHMN STAFFORD: Okay. Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, Exhibit C is adopted.

All right. That brings us now to the -- can I get a motion to adopt the certificate as amended?

MEMBER HILL: So moved.

MEMBER DRAGO: Second.

MEMBER LITTLE: Second.

MEMBER FONTES: Second.

CHMN STAFFORD: Further discussion?

(No audible response.)

CHMN STAFFORD: All right. We'll do a roll call vote.

Member Fant.

MEMBER FANT: I vote aye.

And I want to say thanks to the City of Tucson as showing up and making clear what you wanted. That's much appreciated.

And TEP always puts on great cases. So thank you, Clark, for your team and also, Megan, for your team for the presentation.

CHMN STAFFORD: Member Drago.

MEMBER DRAGO: I vote aye.

CHMN STAFFORD: Member Hill.

MEMBER HILL: I vote aye.

I just want to thank TEP and the City for walking us through this project. I think it's a great project.

I want to thank my colleague Member Fant for moving us quickly through all of the approvals today, so thank you.

CHMN STAFFORD: Member Little.

MEMBER LITTLE: I also vote aye.

And I want to reiterate what has already been said. And also I appreciate very much that the applicant has given us a clear -- straight need and has done such an excellent job of continuing to use existing lines and to keep the project and everything right on track, and I appreciate it. I wish all our projects were this well done. Thank you.

CHMN STAFFORD: Thank you.

Member Fontes.

MEMBER FONTES: I vote aye.

Good project.

CHMN STAFFORD: Thank you.

And I vote aye.

By a vote of six ayes and zero nays the certificate is approved.

Can I get a motion for to allow the chair to make revisions to the order to correct grammatical errors, typos, mistakes?

MEMBER FANT: So moved.

CHMN STAFFORD: And then sign and file with the Commission?

MEMBER HILL: Second.

CHMN STAFFORD: All right.

MEMBER FANT: I'd like to clarify that includes the exhibits; right?

CHMN STAFFORD: Yes.

MEMBER FANT: Okay.

CHMN STAFFORD: All right. Further discussion?

(No audible response.)

CHMN STAFFORD: All in favor say "aye."

(A chorus of "ayes.")

CHMN STAFFORD: Opposed?

(No audible response.)

CHMN STAFFORD: Hearing none, the motion carries.

With that, we have granted the certificate. Thank you all very much. I appreciate the fact that the applicant used so much existing infrastructure to add this loop. I seem to recall another loop reliability system that took 10 days of hearing, whereas we were able to accomplish this one in two.

So I think the preparation ahead of time and the use of existing infrastructure vastly improved the process, and I appreciate that from the applicant.

And I appreciate the City for participating in the process. You're a party of right. So all you have to do is file the notice and you're in.

And I appreciate that the parties worked this issue out ahead of time before the hearing so it did not take 10 days to site this project.

And I thank the Commission for allowing us to use their facilities here. It's been quite -- worked out quite well. I think maybe this will be a better venue for the applicants for future projects in the city.

I do say, I do miss Peaks. They have -- they're quite good. And they have very few technical issues. But other than that this seemed to go pretty smoothly, and I appreciate the Commission letting us use their place.

Anything further for the good of the order?

MS. GRABEL: Thank you all. We really appreciate it.

CHMN STAFFORD: Thank you. With that, we are adjourned.

(Proceedings concluded at 4:23 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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