

1 BEFORE THE ARIZONA POWER PLANT LS-329

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE APPLICATION)DOCKET NO.
 5 OF TUCSON ELECTRIC POWER COMPANY,)L-00000C-23-0284-00227
 6 IN CONFORMANCE WITH THE)LS CASE NO. 227
 7 REQUIREMENTS OF A.R.S. § 40-360,)
 8 ET SEQ., FOR A CERTIFICATE OF)
 9 ENVIRONMENTAL COMPATIBILITY)
 10 AUTHORIZING THE AEROSPACE)
 11 RESEARCH CAMPUS TRANSMISSION)
 12 PROJECT FOR A NEW SEGMENT OF 138)
 13 KV TRANSMISSION LINE AND A)
 14 PROPOSED SWITCHYARD. THE)
 15 TRANSMISSION LINE WOULD BIFURCATE)
 16 THE APPLICANT'S EXISTING SONORAN)
 17 TO SOUTH 138 KV CIRCUIT (SECTION)
 18 4, TOWNSHIP 16 SOUTH, RANGE 14)
 19 EAST) AND LOOP INTO THE PROPOSED)
 20 FRANCO WASH SWITCHYARD (SECTION)
 21 31, TOWNSHIP 15 SOUTH, RANGE)
 22 14 EAST). THE PROPOSED)
 23 TRANSMISSION LINE AND SWITCHYARD)
 24 WOULD BE LOCATED WITHIN THE CITY)PREHEARING CONFERENCE
 25 OF TUCSON AND PIMA COUNTY.)
 _____)

16 At: Phoenix, Arizona

17 Date: November 28, 2023

18 Filed: December 1, 2023

19

REPORTER'S TRANSCRIPT OF PROCEEDINGS

20

(Pages 1 through 14)

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Power Plant and Transmission Line Siting
4 Committee, commencing at 3:00 p.m. on November 28, 2023,
5 with all participants appearing via videoconference.

6

7 BEFORE: Adam Stafford, Chairman

8

9 APPEARANCES:

10 For the Applicant:

11 Meghan H. Grabel
12 Elias Ancharski
13 OSBORN MALEDON
14 2929 North Central Avenue
15 21st Floor
16 Phoenix, Arizona 85012

17 and

18 Megan Hill
19 Tucson Electric Power Company
20 88 East Broadway, MS HQE910
21 P.O. Box 711
22 Tucson Arizona 85702

23 For American Battery Factory:

24 David Rozanski
25 Freeman Lovell, PLLC

ALSO PRESENT:

Adriana Marinez, TEP, project manager
Clark Bryner, TEP
Tod Brewer, Assistant to Chairman Stafford

25

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

2 Now's the time set for the prehearing
3 conference for Tucson Electric Power Company's
4 application for a CEC for the Aerospace Research Campus
5 transmission project. Docket No. L-00000C-23-0284-00277,
6 Line Case 227.

7 Let's start by taking appearances.

8 MS. GRABEL: Thank you, Mr. Chairman.
9 Meghan Grabel from the law firm Osborn Maledon on behalf
10 of Tucson Electric Power. With me from my firm is Elias
11 Ancharski. And also with me from in-house -- Tucson
12 Electric Power Company's, their in-house counsel, Megan
13 Hill. And also the two project managers Clark Bryner and
14 Adriana Marinez.

15 CHMN STAFFORD: And David Rozanski from
16 the --

17 MS. GRABEL: Correct.

18 MR. ROZANSKI: Sorry, yes. From Freeman
19 Lovell, PLLC. I represent American Battery Factory.

20 CHMN STAFFORD: Excellent.

21 All right. So you have the lodging
22 arrangements for the Committee members for Tucson? It's
23 at the -- which hotel will it be?

24 MS. GRABEL: Sorry, yes, Mr. Chairman.
25 DoubleTree Suites in Tucson.

1 CHMN STAFFORD: I haven't seen any requests
2 to intervene. Do you anticipate any kind of public
3 comments at this?

4 MS. GRABEL: The only public comment we
5 anticipate at this point is a representative from
6 American Battery Factory, who's a large tenant of the
7 Aerospace Research Campus, is going to give public
8 comment in support of the project. Otherwise, we don't
9 expect any others.

10 CHMN STAFFORD: Okay. And so there'll be
11 no limited appearance statements probably, then?

12 MS. GRABEL: Correct.

13 CHMN STAFFORD: All right. You agree that
14 the April 17, 2024, is the time for the Committee to act
15 in compliance with the statute?

16 MS. GRABEL: I haven't done the math, but
17 that sounds about right.

18 CHMN STAFFORD: All right. And has the
19 applicant complied with the notices to the affected
20 jurisdictions?

21 MS. GRABEL: Yes, sir, we have.

22 CHMN STAFFORD: And that's the City of
23 Tucson and Pinal County?

24 MS. GRABEL: Pima County, yes.

25 CHMN STAFFORD: Pima. There's no state

1 trust land here on this project; right?

2 MS. GRABEL: There is not.

3 CHMN STAFFORD: Okay. And has the
4 applicant complied with the posting and publishing
5 requirements in the procedural order and the statute?

6 MS. GRABEL: Yes, sir, we have. The
7 notices and signs were posted in compliance with the
8 procedural order on November 13, 2023.

9 And we do have as exhibits to this
10 prehearing conference an example of the signage -- that's
11 prehearing Exhibit 1 -- and a map of the sign locations
12 which is prehearing Exhibit 2.

13 CHMN STAFFORD: Let's pull those up. So we
14 have prehearing Exhibits 1, 2, and 3. Those are
15 admitted.

16 (Exhibits 1, 2 and 3 were admitted.)

17 CHMN STAFFORD: What's the -- what was the
18 notice published in?

19 MS. GRABEL: The notice was published in
20 the Arizona Daily Star which is a newspaper, general
21 circulation, in the Tucson area.

22 CHMN STAFFORD: What was the date of
23 publication?

24 MS. GRABEL: That was published on
25 October 29 and November 5.

1 CHMN STAFFORD: Pretty close there.

2 All right. Any objections or additions to
3 the agenda?

4 MS. GRABEL: No, sir.

5 CHMN STAFFORD: So we're starting on
6 December 5, correct, or 4th?

7 MS. GRABEL: The 4th.

8 CHMN STAFFORD: 4th and 5th?

9 MS. GRABEL: Yes.

10 CHMN STAFFORD: DoubleTree. I assume you
11 have the Peaks Audio with the audio/video setup?

12 MS. GRABEL: Yes, that's correct.

13 CHMN STAFFORD: Okay. I guess you'll have
14 sign-in forms for public comment?

15 MS. GRABEL: We will, yes, with the --

16 CHMN STAFFORD: Pardon?

17 MS. GRABEL: -- with the option to speak.

18 CHMN STAFFORD: Great, yeah. I don't want
19 to be calling them up to the podium if they don't intend
20 on speaking.

21 It's business casual attire for the
22 hearing.

23 MS. GRABEL: Yes, okay.

24 CHMN STAFFORD: And you've got a virtual
25 tour, and then you've got an itinerary for a physical

1 tour; correct?

2 MS. GRABEL: We do. We have both. We
3 anticipate that a physical tour would be very short, if
4 one is necessary at all. But the virtual tour that the
5 team put together in this case is actually really
6 interesting because they used drone imagery so you see
7 exactly what you would see on a regular tour, not just a
8 Google map option.

9 And I have a text correcting me. State
10 land is involved in this, Mr. Chairman.

11 CHMN STAFFORD: And does it cross state
12 land?

13 MS. GRABEL: No. Adriana, will you please
14 explain? I'm sorry.

15 MS. MARINEZ: State land is within the
16 study area but not along the proposed route.

17 CHMN STAFFORD: Okay.

18 MS. GRABEL: That's what I thought. Thank
19 you.

20 MS. HILL: I'm sorry, if I may interrupt.
21 I believe there is -- it is on state land for about
22 50 feet where we tap into the existing transmission line.
23 So there is about 50 feet of this project that is on
24 state land.

25 MS. GRABEL: Thank you, Megan.

1 CHMN STAFFORD: Did they receive notice of
2 the hearing?

3 MS. GRABEL: We did not mail a notice of
4 hearing to Arizona State Land Department, but I don't
5 believe they're an affected jurisdiction. We just would
6 reach out to them as we would any other stakeholder.

7 CHMN STAFFORD: Give me a second here.
8 You got your exhibits filed with the
9 witness summaries. You have three witnesses?

10 MS. GRABEL: We have three witnesses,
11 correct.

12 CHMN STAFFORD: Will you be presenting them
13 as a panel, or will you be doing them individually?

14 MS. GRABEL: We are presenting them as two
15 panels. The first panel talking about the project and
16 the technical specifications is Adriana Martinez and Clark
17 Bryner. The second panel is a panel of three talking
18 about public outreach, the scoping process, and the
19 environmental considerations, and that will Ms. Martinez,
20 Mr. Bryner, and Mr. Brian Lindenlaub from WestLand
21 Resources.

22 MS. HILL: And, Mr. Chair, I'm sorry, if I
23 may, Megan Hill for TEP. A Staff report was issued on
24 this project just today, I believe. And they recommended
25 that the Committee make -- take evidence regarding the

1 power flow and stability analysis that was conducted.

2 And so we may have a fourth witness, Mr. Gary Trent, who
3 is an engineer who will be able to discuss that with the
4 Committee.

5 CHMN STAFFORD: How do you spell his
6 last -- is Gary Trent, you said?

7 MS. HILL: Yes, T-r-e-n-t.

8 CHMN STAFFORD: All right. Well, Meghan,
9 can you get a summary of his testimony filed shortly?

10 MS. GRABEL: Yes, we can put something
11 together. We just received the Staff letter this
12 afternoon --

13 CHMN STAFFORD: Yeah, I saw it.

14 MS. GRABEL: -- and so he will just be
15 required to the extent we need to put any testimony in
16 the record that Mr. Bryner and Ms. Martinez cannot put on
17 the record. But we'll get it filed as soon as we can.
18 We don't yet know what he's going to say. We're still
19 working out with Commission Staff what evidence they
20 think they need in order to make a reliability
21 determination.

22 CHMN STAFFORD: And you'll have the -- all
23 the exhibits on tablets for the Committee members?

24 MS. GRABEL: We will, yes.

25 CHMN STAFFORD: We've got your proposed

1 CEC?

2 MS. GRABEL: Correct, yes. That's actually
3 Exhibit 4 to this prehearing conference.

4 CHMN STAFFORD: Exhibit 4. Got to switch
5 back between -- so there's five prehearing exhibits,
6 okay. All right.

7 MS. GRABEL: The fifth is the summary of
8 public outreach that we've conducted.

9 CHMN STAFFORD: All right. Did I admit
10 all -- I know I admitted three. If not -- if I haven't
11 already, I'll admit 4 and 5 prehearing exhibits.

12 (Exhibits 4 and 5 were admitted.)

13 CHMN STAFFORD: Permit status. Am I
14 correct in understanding that you didn't require a permit
15 for this line because it's a permitted use already? Or
16 did you get a permit from the county?

17 MS. GRABEL: We do not need a permit from
18 the county.

19 CHMN STAFFORD: Okay. There's no NEPA
20 process.

21 So is there any other issues we need to
22 address?

23 MS. GRABEL: I suppose the only thing is
24 when will the Committee determine whether they want to
25 take a tour? Because we do have a tour bus that we could

1 release if they're not going to feel the need to take
2 one.

3 It would be, as I said, a 45-minute tour,
4 and it is not in the best part of town, so I'm not sure
5 they'd want to -- it's not a bad part of town, but it's
6 cluttered and there are dogs kind of roaming around. So
7 it's not the safest area to climb out of the car.

8 CHMN STAFFORD: Well, what we'll do is
9 we'll see the virtual tour first, and then I'll ask the
10 members if they feel if a physical tour is necessary. If
11 we do a tour, it will be that Tuesday morning first
12 thing.

13 MS. GRABEL: Thank you.

14 CHMN STAFFORD: So you'll know by the
15 afternoon of Monday whether we're going to do that or
16 not. We'll do that -- we'll decide that before we break
17 for the public comment, so during that period.

18 MS. GRABEL: Okay. Mr. Chairman, with
19 respect to Gary Trent's witness summary, would it suffice
20 to just put something very high-level in the docket at
21 this point saying, "Testifies in response to Staff's
22 letter?"

23 CHMN STAFFORD: That would be perfect.

24 MS. GRABEL: Okay. We'll go ahead and put
25 something like that together and get it docketed today.

1 CHMN STAFFORD: Okay. Is there anything
2 else we needed, Tod?

3 MR. BREWER: I don't believe so,
4 Mr. Chairman. Thank you.

5 CHMN STAFFORD: Okay. Well, is there
6 anything else further, Ms. Grabel?

7 MS. GRABEL: No, thank you, Mr. Chairman.

8 CHMN STAFFORD: Thank you.

9 MS. GRABEL: See you on Monday.

10 CHMN STAFFORD: Thank you very much. Let's
11 go off the record.

12 (Proceedings concluded at 3:12 p.m.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA)

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