

1 BEFORE THE ARIZONA POWER PLANT LS-414

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE APPLICATION OF) DOCKET NO.
 5 RANEGRAS PLAINS ENERGY CENTER, LLC,) L-21344A-24-0273-
 6 OR ITS ASSIGNEES, IN CONFORMANCE) 00243
 7 WITH THE REQUIREMENTS OF)
 8 A.R.S. § 40-360, ET SEQ., FOR A) CASE NO. 243
 9 CERTIFICATE OF ENVIRONMENTAL)
 10 COMPATIBILITY AUTHORIZING THE)
 11 RANEGRAS PLAINS ENERGY CENTER 500)
 12 KV TRANSMISSION LINE.) EVIDENTIARY
 13) HEARING

10 At: Phoenix, Arizona

11 Date: February 11, 2025

12 Filed: February 13, 2025

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14 REPORTER'S TRANSCRIPT OF PROCEEDINGS

15 (Pages 153 through 215)

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21 GLENNIE REPORTING SERVICES, LLC
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 1555 East Oranewood Avenue, Phoenix, AZ 85020
 602.266.6535 admin@glennie-reporting.com

23

24 By: Robin L. B. Osterode, CSR, RPR
 Arizona CR No. 50695

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1 BE IT REMEMBERED that the above-entitled
2 and numbered matter came on regularly to be heard before
3 the Arizona Power Plant and Transmission Line Siting
4 Committee at 1200 West Washington, Phoenix, Arizona,
5 commencing at 9:00 a.m. on February 11, 2025.

6

7

8 BEFORE: ADAM STAFFORD, Chairman

9 DAVID FRENCH, Arizona Department of Water Resources
(Via Videoconference)
10 JON H. GOLD, General Public
NICOLE HILL, Governor's Office of Energy Policy
11 (Via Videoconference)
R. DAVID KRYDER, Agriculture Interests
12 MARGARET "TOBY" LITTLE, General Public
GABRIELA SAUCEDO MERCER, Arizona Corporation
13 Commission
DAVE RICHINS, General Public
14 (Via Videoconference)

15

APPEARANCES:

16

For the Applicant:

17

OSBORN MALEDON, PA
18 By: Meghan H. Grabel
By: Elias J. Ancharski
19 2929 North Central Avenue, 20th Floor
Phoenix, Arizona 85012

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

3 Ms. Grabel, I believe we had one more
4 exhibit to address.

5 MS. GRABEL: Yes, thank you, Mr. Chairman.
6 We have Exhibit RP-15, which, at your request, is the
7 cultural resources inventory redacted to exclude the
8 confidential information that's required by the state and
9 federal law to be redacted.

10 CHMN STAFFORD: All right. Excellent.

11 Exhibit RP-15 is admitted.

12 (Exhibit RP-15 was admitted into evidence.)

13 CHMN STAFFORD: I think I already have
14 that.

15 MS. GRABEL: Thank you.

16 CHMN STAFFORD: All right. Any more
17 questions from members before we start on the CEC?

18 (No response.)

19 CHMN STAFFORD: Any from the members
20 online?

21 (No response.)

22 CHMN STAFFORD: All right. We should all
23 have a copy of Chairman's 1, which is the PDF of the
24 proposed CEC, and then Chairman's 2 will be the Word
25 document we're working off of. The members online, Tod

1 emailed those out this morning. Members in the room, you
2 have the hard copy in front of you. So if you can get
3 those, I guess we'll just put Chairman's 2 up on the
4 monitor in front of us, so we can see it as we edit it in
5 realtime.

6 All right. Members French, Hill, and
7 Richins, do you have Chairman's 1 and 2?

8 MEMBER FRENCH: Mr. Chairman, can you hear
9 me?

10 CHMN STAFFORD: Yes.

11 MEMBER FRENCH: I can't hear you. I don't
12 have any audio. Neither does Member Richins.

13 MEMBER RICHINS: I can hear now. I've got
14 it now.

15 CHMN STAFFORD: Okay. He's got it. Can
16 you still not hear us, Member French?

17 (No response.)

18 CHMN STAFFORD: I see a thumbs up from
19 Member Hill, she can hear us.

20 All right. You have the documents?

21 (No response.)

22 CHMN STAFFORD: All right. If you can
23 review the Introduction.

24 MEMBER LITTLE: Mr. -- Mr. Chairman, I move
25 the Introduction.

1 MEMBER GOLD: Second.

2 CHMN STAFFORD: Further discussion?

3 (No response.)

4 CHMN STAFFORD: All in favor say aye.

5 (A chorus of "ayes.")

6 CHMN STAFFORD: All right. Let's review
7 the Project Description.

8 MEMBER GOLD: Mr. Chairman, I move the
9 Overview and the Project Description.

10 MEMBER RICHINS: Second.

11 CHMN STAFFORD: Further discussion?

12 (No response.)

13 CHMN STAFFORD: All right. The last
14 paragraph we have the nominal width of the corridor is
15 200 feet with a 300-foot-wide, that's going to be
16 right-of-way not a corridor, isn't it, do you have --
17 what's the Exhibit A and what's the width of the corridor
18 that you proposed, as opposed to the right-of-way, which
19 is going to be 200 feet and then 300 feet for that span
20 between structures 43 and 44?

21 MS. GRABEL: We do not actually have the
22 corridor mapped on Exhibit A.

23 CHMN STAFFORD: So is the corridor just
24 going to be the right-of-way, it's like --

25 MS. GRABEL: I think that's accurate,

1 correct.

2 CHMN STAFFORD: Okay.

3 MR. POWERS: Mr. Chairman?

4 CHMN STAFFORD: Yes.

5 MR. POWERS: I think the corridor is the
6 200-foot right-of-way, it's one and the same, with the
7 exception of the aerial right-of-way, I don't know how we
8 can describe it, for the needed additional area for the
9 blowout from the three-span structures between, there's
10 structure 43 and structure 44 are the two three-span
11 structures for that 1600-foot span to span, the sensitive
12 resource.

13 CHMN STAFFORD: Right. And because it's a
14 longer span, it has more sway.

15 MR. POWERS: Right.

16 CHMN STAFFORD: So that's why the corridor
17 is larger to accommodate that.

18 MR. POWERS: Correct.

19 CHMN STAFFORD: Okay.

20 MS. GRABEL: And that's reflected on lines
21 9 through 11.

22 CHMN STAFFORD: Right. It's just usually
23 we have a corridor that's significantly larger than the
24 final right-of-way. So it looks like for this one it's
25 just -- the corridor and the right-of-way are the same

1 size.

2 So make sure everyone's on the same page so
3 the order accurately reflects the realities of what the
4 project will be. And so I guess on Exhibit A it's just
5 going to have the right-of-way on it, because the
6 corridor and the right-of-way would be the same thing.

7 MS. GRABEL: The legend on Exhibit A is so
8 small, I can't really see a number. Mr. Knox, can you
9 recall, since you put the map together, is there a
10 corridor? There's not a corridor actually designated on
11 the map.

12 MR. KNOX: No.

13 CHMN STAFFORD: There's not?

14 MS. GRABEL: The image is delineated but
15 the actual width is not spelled out on Exhibit A.

16 CHMN STAFFORD: Okay. So -- well, hang on.
17 Now we're getting an echo.

18 All right. Can you hear me online, though?

19 (No response.)

20 CHMN STAFFORD: All right.

21 MR. FRENCH: Yes.

22 CHMN STAFFORD: Yeah, I think I had to hit
23 a button on -- on the laptop in front of me to make it
24 go, so -- so I guess I'm wondering if we should change
25 the language here to reflect that the corridor and the

1 right-of-way are the same.

2 MR. POWERS: Yeah, I think that's accurate.

3 CHMN STAFFORD: So it --

4 MEMBER LITTLE: Mr. Chairman?

5 CHMN STAFFORD: Yes, Member Little.

6 MEMBER LITTLE: I move that we add the
7 language after the word "feet" on line 9 that says, in
8 parentheses, "which is the same as the right-of-way,"
9 close parentheses, "as shown in Exhibit A with the
10 300-foot width."

11 Does that work?

12 CHMN STAFFORD: That seems appropriate for
13 me. I'm looking at the applicant.

14 MEMBER GOLD: Second.

15 MS. GRABEL: That works. I'm actually
16 struggling with the "as shown on Exhibit A" since the
17 numbers aren't actually depicted on Exhibit A. I mean,
18 the route is depicted, but the numbers aren't spelled
19 out. Does that make a difference to the committee?

20 MEMBER GOLD: Well, it's in parentheses, I
21 think that speaks for itself.

22 CHMN STAFFORD: Well, plus you have in the
23 prior paragraph in the overview of project description,
24 on page 2, line 24, it says, "A map of the final approved
25 project including the project corridor is included as

1 Exhibit A."

2 MEMBER LITTLE: Maybe --

3 CHMN STAFFORD: Is there a -- does the
4 Exhibit A, does it show the difference between 43 and 44?

5 MS. GRABEL: Not much, no.

6 CHMN STAFFORD: Okay. I think we -- when
7 we get to Exhibit A, I think we want to modify that so it
8 accurately reflects that, and so we can probably just
9 add, you know, 200 feet to the Exhibit A, and then have
10 the 300 -- have 200-foot right-of-way and then a 300-foot
11 right-of-way where it's going to be on the map, if you
12 add that to Exhibit A, then the statement here --

13 MS. GRABEL: Is accurate.

14 CHMN STAFFORD: -- will be accurate.

15 So let's -- can you scroll down to
16 the -- okay. So what we're -- the amendment that's
17 before the committee right now is to amend the final
18 paragraph of the project description to read, "The
19 proposed nominal width of the corridor is 200 feet, which
20 is the same as the right-of-way, as shown on Exhibit A
21 with a 300-foot width between structures 43 and 44 to
22 mitigate conductor blowout along this one span of
23 approximately 1,600 feet."

24 So that's acceptable to applicant?

25 MS. GRABEL: That's acceptable to the

1 applicant.

2 MEMBER LITTLE: Works.

3 MEMBER GOLD: Moved and seconded.

4 CHMN STAFFORD: It's been moved and
5 seconded. I'm just clarifying that we all -- that's
6 exactly what we're doing.

7 Okay. Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.

10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, the amendment
14 to the description is adopted.

15 Can I get someone to move the -- --

16 MEMBER GOLD: I move Condition 1.

17 CHMN STAFFORD: Oh, no, the Description, as
18 amended.

19 MEMBER GOLD: As amended be adopted.

20 MEMBER MERCER: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say aye.

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, the Project
3 Description, as amended, is adopted.

4 On to Conditions.

5 MEMBER KRYDER: Mr. Chairman?

6 CHMN STAFFORD: Member Kryder.

7 MEMBER KRYDER: I move approval of
8 Condition Number 1.

9 MEMBER LITTLE: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 1
17 is adopted.

18 Condition 2.

19 MEMBER LITTLE: Mr. Chairman, I move
20 Condition 2.

21 MEMBER GOLD: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?
2 (No response.)
3 CHMN STAFFORD: Hearing none, Condition 2
4 is adopted.
5 Condition 3.
6 MEMBER MERCER: Mr. Chairman, I move
7 Condition 3.
8 MEMBER GOLD: Second.
9 CHMN STAFFORD: Further discussion?
10 (No response.)
11 CHMN STAFFORD: All in favor say aye.
12 (A chorus of "ayes.")
13 CHMN STAFFORD: Opposed?
14 (No response.)
15 CHMN STAFFORD: Hearing none, Condition 3
16 is adopted.
17 MEMBER GOLD: Mr. Chairman, I move
18 Condition 4 be adopted.
19 MEMBER KRYDER: Second.
20 CHMN STAFFORD: Further discussion?
21 (No response.)
22 CHMN STAFFORD: All in favor say aye.
23 (A chorus of "ayes.")
24 CHMN STAFFORD: Opposed?
25 (No response.)

1 CHMN STAFFORD: Hearing none, Condition 4
2 is adopted.

3 Number 5.

4 MEMBER LITTLE: Mr. Chairman, I move
5 Condition 5.

6 MEMBER GOLD: Second.

7 CHMN STAFFORD: Further discussion?

8 MEMBER LITTLE: Yes. Sorry. I would like
9 to add some language referring to the Fish and Game
10 letter, dated December 11th, 2023. I move that we add
11 the language at the end of line 26 after the word
12 "shall," we add the words, "As outlined in the AS --
13 AZGFD letter, dated December 11th, 2023," so that that
14 sentence reads, "The applicant shall comply with the
15 Arizona Game & Fish Department guidelines and
16 recommendations for handling protected species, as
17 outlined in AZGFD letter, dated December 11th, 2023,
18 should any be encountered during construction and
19 operation of the project," blah, blah, blah.

20 MEMBER HILL: Second. Just for discussion,
21 I'll second that.

22 CHMN STAFFORD: I'm not seeing it on the
23 screen, what happened? Can you --

24 MR. ANCHARSKI: Can you repeat that,
25 please, where?

1 MEMBER LITTLE: I'm sorry, at the end of
2 line 26 --

3 MR. ANCHARSKI: Yeah.

4 MEMBER LITTLE: -- after the word
5 "species," we would add, "As outlined in AZGFD letter."

6 MEMBER KRYDER: I believe it's at the end
7 of the word "shall," rather than "species."

8 CHMN STAFFORD: Well, that's what she said
9 before, but I think she said "species" this time, but it
10 was line 25.

11 MEMBER LITTLE: I'm sorry, did I goof that
12 up? Okay. Let's start over again. I move that we,
13 after the word "species," at the end of line 26.

14 CHMN STAFFORD: 25.

15 MEMBER LITTLE: Yes, I'm sorry, I'm looking
16 at the old one. The one that was proposed, okay.
17 Line 25, after the word "species" we add the words, "As
18 outlined in AZGFD letter, dated December 11th, 2023."

19 CHMN STAFFORD: And where in the
20 application is that found? I think we should
21 probably --

22 MEMBER LITTLE: You really want me to tell
23 you?

24 CHMN STAFFORD: Yeah, I think it will make
25 it easier for anyone looking at this to track that down,

1 because if you go to the docket it's, like, over 3,000
2 pages in the application, so --

3 MEMBER LITTLE: Okay. I have to find where
4 I wrote that down, because it is --

5 MEMBER HILL: In the last section, it's
6 kind of --

7 CHMN STAFFORD: I think it's, comma, found
8 in exhibit of the --

9 MEMBER LITTLE: Yes, "it is in comma shown,
10 or found, in Appendix D it to the scoping survey in
11 Exhibit J, Attachment J-1, Appendix G."

12 CHMN STAFFORD: To the application?

13 MEMBER LITTLE: "To the application."

14 CHMN STAFFORD: You want to put that in
15 parentheses instead of commas?

16 MEMBER LITTLE: I don't care.

17 MS. GRABEL: Take out the word "has," not
18 "has found," "as found."

19 CHMN STAFFORD: So which -- it's Exhibit J
20 to the application, right?

21 MEMBER LITTLE: Yes.

22 CHMN STAFFORD: Okay. So it's Exhibit J,
23 Attachment J-1, Appendix G, okay. I'm looking at the
24 applicant to confirm that we've adequately and accurately
25 described the location of the letter.

1 MEMBER LITTLE: Right. And I would like
2 the applicant to look at that letter to remind themselves
3 of what it says.

4 MS. GRABEL: I found it. It's right here,
5 Chris.

6 MR. POWERS: Thank you.

7 MS. GRABEL: It's kind of further back.

8 MR. POWERS: Hey, Richard, can you come
9 here a minute?

10 Mr. Chairman, Member Little?

11 CHMN STAFFORD: Yes.

12 MR. POWERS: We're good with all of that,
13 all of those measures have already been incorporated into
14 our project.

15 CHMN STAFFORD: And then is it accurate --
16 that is the accurate description of the location of the
17 December 11th letter from the Arizona Game & Fish,
18 correct?

19 MS. GRABEL: It is, yes.

20 MR. POWERS: Yes.

21 CHMN STAFFORD: All right. The amendment
22 has been moved and seconded.

23 Further discussion?

24 (No response.)

25 CHMN STAFFORD: All in favor say aye.

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, the amendment
5 passes.

6 Can someone move Condition 5, as amended?

7 MEMBER LITTLE: Mr. Chairman, I move
8 Condition 5, as amended.

9 MEMBER MERCER: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 5,
17 as amended, is adopted.

18 Number 6.

19 MEMBER GOLD: Mr. Chairman, I move
20 Condition 6 be amended -- be adopted.

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?

2 (No response.)

3 CHMN STAFFORD: Hearing none, Condition 6
4 is adopted.

5 Condition 7.

6 MEMBER MERCER: Mr. Chairman, I move
7 Condition 7.

8 MEMBER GOLD: Second.

9 CHMN STAFFORD: Further discussion?

10 MEMBER LITTLE: Mr. Chairman, I just wanted
11 to check with the applicant, this is -- this is the
12 language that SHPO want -- wanted, right? It came from
13 CEC-240, so it should be the --

14 CHMN STAFFORD: Yes.

15 MEMBER LITTLE: -- changed language.

16 CHMN STAFFORD: I think it is, correct.

17 MEMBER LITTLE: Thank you.

18 MS. GRABEL: Mr. Chairman, it's the most
19 recent, so if that's the language that SHPO has recently
20 proposed, then yes, thank you.

21 CHMN STAFFORD: Okay.

22 I thought I heard someone online.

23 MEMBER RICHINS: Yeah, Chairman, it's
24 Member Richins. I don't know if this is -- this is
25 likely not the correct place and I haven't read all the

1 way to the end to see if it's included, but somehow,
2 somewhere, I'm wondering if we shouldn't include a
3 reference to the extensive studies done through the
4 federal government in the EIS process. I don't know if
5 it should be back in the preamble, but just the
6 acknowledging that there's a body of research that exists
7 in there that I guess it's been entered into this docket,
8 so it's sufficient, but I just -- we need to start
9 considering the -- that federal nexus and how to de- --
10 kind of deregulate and make it more simple if we have
11 those processes going on in parallel with what we're
12 doing here.

13 And I don't know how to capture that, but I
14 just wanted to kind of introduce that idea more formally,
15 and I don't know if it's really something we can capture
16 in the CEC or not.

17 CHMN STAFFORD: Well, I think the language
18 from SHPO in Section B of this Condition 7 talks about
19 the project involves federal funding, permitting, license
20 or approval. It's a federal undertaking.

21 And I believe that applies to this project,
22 correct, Ms. Grabel?

23 MS. GRABEL: Yes, Mr. Chairman, that's
24 correct.

25 CHMN STAFFORD: All right. I think that

1 covers it. And I think in previous cases, I've wanted to
2 amend this section to call out the specific sites, but in
3 this case, I don't think it's necessary, because we've
4 had significant testimony and identified the specific
5 sites and the width of the corridor is -- the
6 right-of-way is going to be larger in the place that's
7 going to address the specific sites on the route. So I
8 think --

9 MEMBER RICHINS: Maybe -- oh, sorry,
10 Chairman.

11 CHMN STAFFORD: So I'm comfortable with
12 this as it is. I think it's been -- I think we can --
13 the fact that we've gotten the cultural resources
14 inventory in the record, I think the fact that we know
15 that this special structure is going to be used to span
16 sensitive areas, I don't feel the need to call out the
17 individual sites in the CEC, unless members think that
18 would be appropriate.

19 MEMBER RICHINS: Chairman, maybe it's the
20 word "if" that I'm hanging on, could we just make that,
21 like, "this project does involve"? I don't know. In
22 Section B, on line 21, maybe could we just change the
23 word "if"?

24 CHMN STAFFORD: We'd have to make
25 conforming changes to it.

1 MEMBER RICHINS: -- involves federal
2 funding -- I don't know if --

3 CHMN STAFFORD: "And is a federal
4 undertaking, pursuant to Section 106."

5 MEMBER RICHINS: I mean, I would move that
6 language. I don't want to cause a problem, but I think
7 we should be more positive --

8 CHMN STAFFORD: Right. Because I think --

9 MEMBER RICHINS: -- in the process.

10 CHMN STAFFORD: -- that's the generic
11 condition that SHPO requested to cover its bases, but I
12 think for this case we know the bulk of the project's on
13 BLM land. So it's definitely a federal undertaking. I
14 think the entire right-of-way has been Class 3 surveyed.
15 So I'm looking to the applicant, I guess we could amend B
16 to read -- to state that it is a project involving
17 federal funding, that it is a federal undertaking, and
18 that the --

19 MEMBER LITTLE: Mr. Chairman?

20 CHMN STAFFORD: -- the federal agency will
21 consult SHPO directly. And I think the applicant has
22 already provided SHPO with the notice of federal agency
23 involvement, correct?

24 MS. GRABEL: That is correct, yes.

25 CHMN STAFFORD: Okay. Member Little?

1 MEMBER LITTLE: I understand what is being
2 discussed here, but throughout the whole CEC, we -- we
3 have used that tense, "shall." A also says, "the
4 applicant shall consult with SHPO." Well, you already
5 did consult with SHPO. I think to try to change that in
6 one place would mean we'd have to go through the whole
7 CEC and change the tense to "has" instead of "shall."

8 CHMN STAFFORD: All right. Well, then it's
9 not really a condition, it's more a recitation of the
10 facts.

11 MEMBER LITTLE: Right.

12 CHMN STAFFORD: So I'm -- what I'm
13 gathering from your comment, Member Little, is that
14 you're inclined to leave B as it is?

15 MEMBER LITTLE: I am. I would like,
16 though, to reinforce what's been said about the fact
17 that, you know, when -- when an applicant needs to go
18 through the whole NEPA process that perhaps there is some
19 way that we can work toward streamlining the CEC process
20 because all that work has already been done. And so
21 maybe -- maybe that should be dealt with just in a
22 different -- a finding of fact or something, I'm not
23 sure. But as far as this particular condition goes, I
24 think that -- I mean, "shall" is in this document a lot.

25 CHMN STAFFORD: Right. And they'll

1 continue to work with NEPA because --

2 MEMBER LITTLE: Right.

3 CHMN STAFFORD: -- right now the Draft
4 Environmental Impact Statement is out for public comment
5 and it's supposed to be finalized later this year, so I
6 think this just reiterates that they're going to keep on
7 keeping on.

8 MEMBER LITTLE: Right. Exactly.

9 MS. GRABEL: Mr. Chairman, maybe to address
10 Member Richins' point, I think it's beyond just the SHPO
11 consultation, it actually goes to much more broader
12 extensive environmental review. Perhaps you put a
13 reference to the fact that the project is undergoing a
14 NEPA evaluation in the Overview Project Description in
15 Section B.

16 MEMBER LITTLE: I think that is a good
17 place to put it, yes. Thank you.

18 MEMBER RICHINS: Chairman, I'm comfortable
19 with that.

20 CHMN STAFFORD: All right. So in terms of
21 process, let's go ahead and continue through the
22 Conditions, and then -- at the -- and the Findings of
23 Fact and Conclusions of Law and then come back and then
24 do -- put that into the Project Description prior to
25 going to Exhibit A. I think that's this add-in that

1 they're actually going through the NEPA process and that
2 they're going to do what they've got to do it. We'll
3 reference this -- we'll put it in that it's actually
4 happening, so -- does that work for you, Member Richins?

5 MEMBER RICHINS: Yeah. Yeah, that's fine.
6 Let's just keep moving and if we don't capture it by the
7 time we're done, we can go back.

8 CHMN STAFFORD: Okay. All right. So
9 Condition 7 has been moved and seconded.

10 Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 7
17 is adopted.

18 Number 8.

19 MEMBER GOLD: Mr. Chairman, I move
20 Condition 8 be adopted.

21 MEMBER MERCER: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?

2 (No response.)

3 CHMN STAFFORD: Hearing none, Condition 8

4 is adopted.

5 Number 9.

6 MEMBER KRYDER: Mr. Chairman, I move

7 approval of Condition 9.

8 MEMBER LITTLE: Second.

9 CHMN STAFFORD: Further discussion?

10 (No response.)

11 CHMN STAFFORD: All in favor say aye.

12 (A chorus of "ayes.")

13 CHMN STAFFORD: Opposed?

14 (No response.)

15 CHMN STAFFORD: Hearing none, Condition 9

16 is adopted.

17 Number 10.

18 MEMBER LITTLE: Mr. Chairman, I move

19 Condition 10.

20 MEMBER GOLD: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say aye.

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Condition 10
3 is adopted.

4 Condition 11.

5 MEMBER GOLD: Mr. Chairman, I move
6 Condition 11 be adopted.

7 MEMBER KRYDER: Second.

8 CHMN STAFFORD: Further discussion?

9 (No response.)

10 CHMN STAFFORD: All in favor say aye.

11 (A chorus of "ayes.")

12 CHMN STAFFORD: Opposed?

13 (No response.)

14 CHMN STAFFORD: Hearing none, Condition 11
15 is adopted.

16 Number 12.

17 MEMBER MERCER: Mr. Chairman, I move
18 Condition 12.

19 MEMBER GOLD: Second.

20 CHMN STAFFORD: Further discussion?

21 (No response.)

22 CHMN STAFFORD: All in favor say aye.

23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Condition 12
2 is adopted.

3 Number 13.

4 MEMBER KRYDER: Mr. Chairman, I move
5 approval of Condition 13.

6 MEMBER GOLD: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.
10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, Condition 13
14 is adopted.

15 Number 14.

16 MEMBER GOLD: Mr. Chairman, I move
17 Condition 14 be adopted.

18 MEMBER MERCER: Second.

19 CHMN STAFFORD: Further discussion?

20 (No response.)

21 CHMN STAFFORD: All in favor say aye.
22 (A chorus of "ayes.")

23 CHMN STAFFORD: Opposed?

24 (No response.)

25 CHMN STAFFORD: Hearing none, Condition 14

1 is adopted.

2 Number 15.

3 MEMBER MERCER: Mr. Chairman, I move
4 Condition 15.

5 MEMBER GOLD: Second.

6 CHMN STAFFORD: Further discussion?

7 (No response.)

8 CHMN STAFFORD: All in favor say aye.

9 (A chorus of "ayes.")

10 CHMN STAFFORD: Opposed?

11 (No response.)

12 CHMN STAFFORD: Hearing none, Condition 15

13 is adopted.

14 Number 16.

15 MEMBER LITTLE: Mr. Chairman, I move
16 Condition 16.

17 MEMBER GOLD: Second.

18 CHMN STAFFORD: Further discussion?

19 (No response.)

20 CHMN STAFFORD: All in favor say aye.

21 (A chorus of "ayes.")

22 CHMN STAFFORD: Opposed?

23 (No response.)

24 CHMN STAFFORD: Hearing none, Condition 16

25 is adopted.

1 Number 17.

2 MEMBER GOLD: Mr. Chairman, I move
3 Condition 17 be adopted.

4 MEMBER KRYDER: Second.

5 CHMN STAFFORD: Further discussion?
6 (No response.)

7 CHMN STAFFORD: All in favor say aye.
8 (A chorus of "ayes.")

9 CHMN STAFFORD: Opposed?
10 (No response.)

11 CHMN STAFFORD: Hearing none, Condition 17
12 is adopted.

13 Number 18.

14 MEMBER KRYDER: Mr. Chairman, I move
15 approval of Condition 18.

16 MEMBER MERCER: Second.

17 CHMN STAFFORD: Further discussion?
18 (No response.)

19 CHMN STAFFORD: All in favor say aye.
20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?
22 (No response.)

23 CHMN STAFFORD: Hearing none, Condition 18
24 is adopted.

25 Condition 19.

1 MEMBER KRYDER: Mr. Chairman, I move
2 approval of Condition 19.

3 MEMBER MERCER: Second.

4 CHMN STAFFORD: Further discussion?

5 I think this one should be wordsmithed a
6 little bit to, again, show that the corridor and the
7 right-of-way are the same width being 200 feet, except
8 for the 300-foot-wide section between posts, I think it's
9 43 and 44.

10 MEMBER GOLD: Yes.

11 MEMBER KRYDER: Mr. Chairman, could you
12 recommend the appropriate language, please?

13 CHMN STAFFORD: All right. I'm going to
14 hark back to what we did before.

15 MS. GRABEL: I can help with that,
16 Mr. Chairman, if you'd like.

17 CHMN STAFFORD: Scroll up, I want to look
18 at we did, because I didn't make the change. I'm looking
19 at this --

20 MS. GRABEL: I think if you would move that
21 to say, "The designation of the corridor in the
22 Certificate as shown on Exhibit A," and then in parens,
23 "which is the same as the right-of-way," because I think
24 that's consistent with what we did previously.

25 CHMN STAFFORD: Except for we didn't

1 have --

2 MEMBER KRYDER: Eli, if -- could you put
3 that up, maybe we can take a look at it.

4 CHMN STAFFORD: Yeah, I think why don't you
5 cut and paste that from the description, because we have
6 the 200 feet, and then have the 300 feet, and then
7 show -- we'll incorporate that into the condition.

8 MEMBER LITTLE: Mr. Chairman?

9 CHMN STAFFORD: Yes, Member Little.

10 MEMBER LITTLE: Do we even need this
11 condition? Because this condition was put in there when
12 the corridor was huge and we wanted to assure that others
13 would have the right to use the corridor --

14 CHMN STAFFORD: Right. And I think --

15 MEMBER LITTLE: -- if necessary. And this
16 one the corridor and the right-of-way are the same and --

17 CHMN STAFFORD: Right. So I think what the
18 goal of this condition would be to show -- to demonstrate
19 that and then we remove the sentence that says "does not
20 grant the applicant exclusive rights within the corridor
21 outside," that's going to all come out, because we don't
22 need that. Because they're going to have -- the corridor
23 and the right-of-way is the same, they will have
24 exclusive rights to it. And the other wording can be
25 removed, so that's the point of the condition is to -- as

1 opposed to being a statement of what they proposed, it's
2 a condition of the CEC describing the final corridor
3 right-of-way.

4 MEMBER LITTLE: Well, Mr. Chairman, then I
5 move that this condition that after -- I'm looking --
6 after the Exhibit A words in the first sentence, that we
7 add in the parentheses, "which is the same as the
8 right-of-way," close parentheses, "does not authorize a
9 right-of-way greater than 300 feet wide for the
10 transmission line." And then we eliminate the rest of
11 that sentence. And then just say "The maximum height of
12 the structure shall not exceed 180 feet."

13 CHMN STAFFORD: Right. But the
14 right-of-way is going to be 200 feet for all but
15 1600 feet.

16 MEMBER LITTLE: So you want to put that
17 detail in there?

18 CHMN STAFFORD: Yeah, I think so.

19 So I think -- what was the language from
20 the prior -- previous paragraph in the description?

21 MEMBER LITTLE: It says, "The designation
22 of the corridor in this Certificate, as shown in Exhibit
23 A."

24 CHMN STAFFORD: Which is the same as the
25 right-of-way.

1 MEMBER LITTLE: "Does not authorize a
2 right-of-way greater than 200 feet wide."

3 CHMN STAFFORD: "Except."

4 MEMBER LITTLE: "Except" or --

5 CHMN STAFFORD: "The right-of-way shall be
6 300 feet wide between structures 43 and 44."

7 MEMBER LITTLE: Period.

8 CHMN STAFFORD: "To mitigate conductor
9 blowout along this span of approximately 1600 feet."

10 MEMBER LITTLE: Okay. I move that.

11 CHMN STAFFORD: Let's -- let me read it
12 through one time here before we vote on it here, so what
13 we're doing is we're amending Condition 19 to read, "The
14 designation of the corridor in this Certificate, as shown
15 in Exhibit A, which is the" -- I think the parentheses
16 should be after "corridor," so it's Exhibit A.

17 MS. GRABEL: Or after "Certificate."
18 Either way.

19 CHMN STAFFORD: Okay. So let's try it,
20 "The designation of the corridor in the Certificate,
21 (which is the same as the right-of-way as shown in
22 Exhibit A) does not authorize a right-of-way greater than
23 200 feet except the right-of-way shall be 300 feet wide
24 between structures 43 and 44 to mitigate potential
25 blowout along this one span of approximately 1600 feet.

1 The maximum height of the structure shall not exceed
2 180 feet."

3 MS. GRABEL: Work for you?

4 MEMBER KRYDER: Are you okay on that?

5 MR. POWERS: So they're striking all
6 but --

7 MS. GRABEL: If you turn around you can see
8 it right there.

9 That works.

10 CHMN STAFFORD: That's acceptable to the
11 applicant?

12 MR. POWERS: That works, Mr. Chairman.

13 CHMN STAFFORD: All right. That has been
14 moved and seconded.

15 Further discussion?

16 (No response.)

17 CHMN STAFFORD: All in favor say aye.

18 (A chorus of "ayes.")

19 CHMN STAFFORD: Opposed?

20 (No response.)

21 CHMN STAFFORD: Hearing none, the amendment
22 is adopted.

23 Can we move 19, as amended?

24 MEMBER KRYDER: Mr. Chairman, I move
25 approval of Condition 19, as amended.

1 MEMBER MERCER: Second.

2 CHMN STAFFORD: Further discussion?

3 (No response.)

4 CHMN STAFFORD: All in favor say aye.

5 (A chorus of "ayes.")

6 CHMN STAFFORD: Opposed?

7 (No response.)

8 CHMN STAFFORD: Hearing none, Condition 19,
9 as amended, is adopted.

10 Condition 20.

11 MEMBER GOLD: I move Condition 20 be
12 adopted.

13 MEMBER KRYDER: Second.

14 CHMN STAFFORD: Further discussion?

15 I'm looking to the applicant, the
16 December 1st, 2025, date is the correct one for
17 commencing the filings of the annual compliance
18 certification letter?

19 MS. GRABEL: It's actually a month earlier
20 than the Ten-Year Plan.

21 MR. POWERS: Oh, so we -- is this an annual
22 report? And then also the General Plan?

23 MS. GRABEL: Not in the General Plan.

24 CHMN STAFFORD: Are you getting that or is
25 that --

1 THE REPORTER: (No response.)

2 CHMN STAFFORD: Okay. If you all want to
3 speak amongst yourselves and so it's not on the record,
4 you need to, like, mute the microphone, otherwise, it's
5 getting taken down.

6 MR. POWERS: Oh, I'm sorry, I thought --

7 THE REPORTER: Thank you.

8 MS. GRABEL: That's fine with us.

9 CHMN STAFFORD: All right. So Condition 20
10 has been moved and seconded.

11 All in favor say aye.

12 (A chorus of "ayes.")

13 CHMN STAFFORD: Opposed?

14 (No response.)

15 CHMN STAFFORD: Hearing none, Condition 20
16 is adopted.

17 21.

18 MEMBER KRYDER: Mr. Chairman, I move
19 approval of Condition 21.

20 MEMBER MERCER: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say aye.

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Condition 21
3 is adopted.

4 22.

5 MEMBER MERCER: Mr. Chairman, I move
6 condition 22.

7 MEMBER GOLD: Second.

8 CHMN STAFFORD: Further discussion?

9 (No response.)

10 CHMN STAFFORD: All in favor say aye.

11 (A chorus of "ayes.")

12 CHMN STAFFORD: Opposed?

13 (No response.)

14 CHMN STAFFORD: Hearing none, Condition 22
15 is adopted.

16 23.

17 MEMBER LITTLE: Mr. Chairman, I move
18 Condition 23.

19 MEMBER GOLD: Second.

20 CHMN STAFFORD: Further discussion?

21 (No response.)

22 CHMN STAFFORD: All in favor say aye.

23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Condition 23
2 is adopted.

3 24.

4 MEMBER GOLD: Mr. Chairman, I move
5 Condition 24 be adopted.

6 MEMBER KRYDER: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.
10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, Condition 24
14 is adopted.

15 All right. Do we want to go back to --

16 MEMBER KRYDER: 8.

17 CHMN STAFFORD: -- the Project Description
18 before we move on to the Findings of Fact and Conclusions
19 of Law or do you want to add that as a Finding of Fact of
20 how it's set up, that they're in the ongoing NEPA
21 process?

22 Member Richins, what's your preference?

23 MEMBER RICHINS: I'm just looking at the
24 Project Description again. Stand by.

25 CHMN STAFFORD: I'm looking at the

1 applicant, do you have a thought about whether it should
2 be in the Project Description or in the Finding of Fact?

3 MS. GRABEL: I think either one works. I
4 think it's kind of a good idea to put it in a Finding of
5 Fact, because it is a fact.

6 MEMBER LITTLE: Mr. Chairman?

7 CHMN STAFFORD: Yes, Member Little.

8 MEMBER LITTLE: Let me ask kind a legal
9 question. I would like to see it in whichever place,
10 probably Findings of Fact, that would lead toward
11 whatever is necessary to streamline the CEC process for
12 those projects that have to go through the --

13 MEMBER KRYDER: What's the purpose of all
14 this?

15 MEMBER LITTLE: -- federal process.

16 CHMN STAFFORD: Well, I think the -- well,
17 the only way I can see streamlining it would be to not
18 have public comment at 5:30. If we had done that at
19 10:00 yesterday, we'd have been done yesterday.

20 MEMBER LITTLE: Well, I'm talking about the
21 future, not just this project.

22 CHMN STAFFORD: Well, the statute requires
23 us to look at this and for them to provide all the
24 environmental studies that have been done, so they have
25 to provide that to us. I guess it's just a -- our burden

1 is to look at it and review it. I think this could have
2 been a one-day hearing, despite the volume of the
3 application, I think, but it's just -- I think the only
4 reason we're here for two days is because of the
5 tradition of the committee to take public comment at 5:30
6 in the evening to allow people to participate without
7 having to take time off of work.

8 Other than that, this was pretty fast. I
9 mean, they were done with testimony in the early
10 afternoon. So we could have been, barring that, I think
11 that was the only way to streamline this process any
12 more.

13 MEMBER LITTLE: Well, I guess what I'm kind
14 of thinking is probably it would have to be done at the
15 legislative level, but, you know, if the Commission could
16 be involved at some level with the BLM process, perhaps
17 we wouldn't even need to hear these.

18 MEMBER KRYDER: That's legislative.

19 CHMN STAFFORD: Yeah, that's not -- like I
20 said, the way -- the only way we could move this faster
21 was not to have held public comment at 5:30 yesterday.
22 We could have started with public comment at 9:00 a.m.,
23 and that would have been the only thing I think this
24 committee has the authority to streamline the process any
25 more.

1 MEMBER LITTLE: Well, I understand that,
2 and the -- under the rules as they are today, I was just
3 looking --

4 CHMN STAFFORD: Okay.

5 MEMBER RICHINS: Yeah, no, Chairman, I
6 agree with Member Little that, yeah, we should be looking
7 for different ways to make our processes more efficient.
8 And I think my -- my vision is that the EIS would
9 supplant this process altogether at some point. I agree
10 with the short-term solutions or the non-legislative
11 solutions about, you know, acknowledging all the public
12 outreach that happened is part -- as part of the EIS, and
13 dispensing with our own, so we can get through in a day.
14 But there's also the added time and expense for the
15 applicant to come put this hearing together, which is
16 really duplicative of a lot of what they're doing in the
17 EIS.

18 And so, yes, it's likely a legislative
19 adjustment that would have to be made, but I think
20 somehow we need to signal that in our CEC to acknowledge
21 this federal process and being sufficient for our
22 purposes in granting a CEC in the state.

23 CHMN STAFFORD: Do you have any specific
24 language you want to propose to add to the CEC?

25 MEMBER RICHINS: I think we can just put in

1 the Findings of Fact that -- acknowledging that we have
2 an EIS process that's been conducted here on the federal
3 level, and, I mean, if they were to conclude that process
4 and then come to the CEC and say, hey, we have a federal
5 EIS, it should be here you go, here's your CEC. But for
6 this purposes, let's just do an acknowledgement of the
7 robust and completeness of the record that's created in
8 the EIS process as a Finding of Fact. Something like
9 that. I'm not the wordsmith. I'm sure Ms. Grabel has
10 some ideas.

11 MEMBER LITTLE: Concur.

12 CHMN STAFFORD: All right. Ms. Grabel,
13 you're on the spot.

14 MS. GRABEL: All right. So the Finding of
15 Fact, "The applicant in this project is undertaking the
16 National Environmental Protection Act" --

17 MR. POWERS: Policy.

18 MS. GRABEL: -- "Policy Act," sorry,
19 "process, which involves comprehensive environmental
20 review," something like that. "And that process and
21 outreach is hereby acknowledged by the committee."

22 MEMBER RICHINS: Your brevity yesterday was
23 helpful, but this one maybe not.

24 MS. GRABEL: Thanks a lot.

25 "The applicant is in the process of

1 undertaking federal review, as required by the National
2 Environmental Policy Act. This process involves
3 comprehensive public outreach and environmental review."

4 CHMN STAFFORD: "At the federal level."

5 MS. GRABEL: Certainly. "At the federal
6 level." "In coordination with State agencies."

7 MEMBER RICHINS: Maybe "the same State
8 agencies governed by the CEC," I guess I just want to get
9 snarky a little bit, so I have something to point at to
10 say, hey, ACC we should be doing something a little bit
11 more streamlined here.

12 CHMN STAFFORD: Well, I think in a
13 hypothetical future proceeding, where the applicant came
14 in with their environmental impact statement, I think the
15 efficient thing to do is for the committee to take
16 official or administrative notice of that, and then hear
17 10 minutes of testimony, and then probably move on to the
18 vote.

19 MEMBER RICHINS: Love it.

20 MEMBER KRYDER: Mr. Chairman?

21 MEMBER RICHINS: Elon Musk would be proud.

22 CHMN STAFFORD: Member Kryder.

23 MEMBER KRYDER: I think we're getting real
24 close to a legislative something here or taking on a task
25 that was a part of the legislation that formed this

1 committee. I think we need to be real careful not to
2 push too much further on this.

3 CHMN STAFFORD: Well, I think all we're
4 doing here is we're going to add a new Finding of Fact
5 that they're in the middle of the NEPA process.

6 MS. GRABEL: Right.

7 MEMBER KRYDER: Right. And I concur with
8 that. It is truly a fact, as was pointed out, but to
9 start essentially saying let's get away with the
10 committee, which is what I hear is the undergirding
11 driver of this, I think we're moving into the realm of
12 the General Assembly.

13 CHMN STAFFORD: Right. Well, I think -- I
14 think that everyone acknowledges that the statutes, you
15 know, create this committee and describe what our
16 obligations are. A NEPA process does not negate our
17 obligations. I think that's clear. It would take
18 statutory changes to do that. I'm just saying the fact
19 that they're going through that and they've done all the
20 things that NEPA requires is -- I think we can take that
21 as evidence of what they've -- meet their burden under
22 the state statute in addition to the federal, because the
23 federal requirements are more stringent than what the
24 state requirements are.

25 MEMBER KRYDER: And I'm good with that, all

1 I'm just saying is it's time to put on the brakes.

2 CHMN STAFFORD: Right. We're going to
3 wordsmith this here, but we're going to add a Finding of
4 Fact acknowledging that they're in the NEPA process.

5 MEMBER LITTLE: Mr. Chairman, I move the
6 new Finding of Fact Number 1, as written on the screen.

7 MEMBER KRYDER: Second.

8 CHMN STAFFORD: Okay. So the proposed new
9 Finding of Fact and Conclusion of Law Number 1 would
10 read, "The applicant is in the process of undertaking
11 federal review, as required by the National Environmental
12 Policy Act, NEPA. This process involves comprehensive
13 public outreach and environmental review at the federal
14 level, in coordination with State agencies."

15 Okay. The screen went dark for a second
16 there. But that's the language that's been moved. Has
17 it been seconded?

18 MEMBER KRYDER: Yes, it has.

19 CHMN STAFFORD: Okay. Further discussion?
20 Member Richins?

21 MEMBER RICHINS: Good start.

22 CHMN STAFFORD: You see that?

23 MEMBER RICHINS: Yup. Good start.

24 CHMN STAFFORD: All right. All in favor
25 say aye.

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, the new
5 Finding of Fact and Conclusion of Law Number 1 is
6 adopted.

7 All right. So I guess they've all been
8 renumbered. The conforming changes are already appearing
9 on the screen, so I'm just going to go through and then
10 with the new numbers, as opposed to saying 2, previously
11 1, throughout the rest of this, so everyone understands
12 what we're looking at, correct?

13 (No response.)

14 CHMN STAFFORD: All right.

15 MR. POWERS: Mr. Chairman?

16 CHMN STAFFORD: Yes.

17 MR. POWERS: I have a comment regarding
18 that.

19 CHMN STAFFORD: It's the first one?

20 MS. GRABEL: Yes.

21 MR. POWERS: Could we add, "State and local
22 agencies," to include La Paz County?

23 CHMN STAFFORD: Oh, because you have to
24 work with the County too, don't you?

25 MR. POWERS: Correct. I just --

1 MS. GRABEL: Didn't really have to.

2 MR. POWERS: I suppose we didn't have to,
3 but we did. And we did take into -- take their comments
4 into consideration when we're siting our project, so I
5 just want to make sure that's acknowledged.

6 MEMBER KRYDER: Mr. Chairman?

7 CHMN STAFFORD: Member Kryder.

8 MEMBER KRYDER: Is a local entity a
9 creation of the state? If so, I think it's captured.

10 MEMBER RICHINS: Chairman, counties are a
11 creation of the state, cities are creation of typically
12 charters, unless it's a small town, and then it's kind of
13 different --

14 MEMBER KRYDER: And the entities --

15 CHMN STAFFORD: One at a time.

16 Member Richins.

17 MEMBER RICHINS: I was just saying, you
18 could just put "local government," and that would be
19 sufficient in covering charter cities and State creations
20 of county government.

21 CHMN STAFFORD: All right. But the NEPA
22 process requires coordination with State agencies, no?

23 MEMBER RICHINS: NEPA -- I would say, yeah,
24 because there's nexus to SHPO --

25 CHMN STAFFORD: Right.

1 MEMBER RICHINS: Alone.

2 CHMN STAFFORD: -- and that is a State
3 agency.

4 MEMBER KRYDER: Right.

5 MS. GRABEL: Right.

6 MEMBER RICHINS: I mean, actually, there's
7 a couple of good catches in the language. I'd say local
8 government and tribal entities, because there's
9 definitely government-to-government consultation and some
10 acknowledgement there is important.

11 MS. GRABEL: So, Mr. Chairman, if I may for
12 a moment?

13 CHMN STAFFORD: Yes, Ms. Grabel.

14 MS. GRABEL: Typically, when an entity is
15 going through the NEPA process they are preempted from
16 having to go through local permitting. And in this case
17 we tried to explain that to La Paz, La Paz respectfully
18 disagreed. And so just to get along, we went through
19 their local process. But if what we're focusing on now
20 is the actual NEPA process, I would exclude local
21 agencies, because that's technically not true. It's
22 something we did in this case because they asked us to,
23 but it's something that's not required by an entity who's
24 undertaking NEPA.

25 CHMN STAFFORD: Right. And I think the

1 record in this proceeding shows adequately what the
2 applicant has done. So I don't think we need to list
3 everything you've done --

4 MEMBER KRYDER: Right.

5 CHMN STAFFORD: -- in a specific Finding of
6 Fact and Conclusion of Law. I just think that the point
7 of this addition, this new, never-before-seen Finding of
8 Fact and Conclusion of Law, is to acknowledge that this
9 is in the NEPA process and a lot of what the bulk of the
10 environmental studies that were presented as evidence to
11 this committee, which would have to be done a different
12 way if it was not on federal land, because of the NEPA
13 process you've -- that -- the evidence that you did --
14 the studies done to comply with NEPA, they've been
15 adequate to meet the burden -- the statutory burden
16 before this committee.

17 MS. GRABEL: Correct.

18 MEMBER RICHINS: Chairman, I think you can
19 leave that as-is. NEPA depends on scoping, so there --
20 in scoping sometimes there are nexus to local government.
21 There always is nexus to tribal government, if it's in
22 any ordinary jurisdiction of tribal government, but in
23 the scoping process sometimes NEPA can catch local
24 jurisdiction. But I think your language as-is is
25 sufficient for what we're trying to accomplish here.

1 CHMN STAFFORD: Okay.

2 MEMBER KRYDER: I would agree.

3 CHMN STAFFORD: All right. We've already
4 adopted it, so we don't need to reopen it. So I think we
5 can move on to Finding of Fact and Conclusion of Law
6 Number 2.

7 MEMBER KRYDER: Mr. Chairman, are we ready
8 to look at the new number 2?

9 CHMN STAFFORD: Right. Like I said, we'll
10 just go -- they've already been renumbered --

11 MEMBER KRYDER: Okay.

12 CHMN STAFFORD: -- so every subsequent
13 Finding of Fact and Conclusion of Law we vote for is
14 going to be one number higher compared to Chairman's 1.

15 MEMBER KRYDER: Okay. Mr. Chairman, I --
16 thereby I move approval of Finding of Fact and Condition
17 [sic] of Law Number 2.

18 MEMBER GOLD: Second.

19 CHMN STAFFORD: Further discussion?

20 (No response.)

21 CHMN STAFFORD: All in favor say aye.

22 (A chorus of "ayes.")

23 CHMN STAFFORD: Opposed?

24 (No response.)

25 CHMN STAFFORD: Hearing none, Finding of

1 Fact and Conclusion of Law Number 2 seen as Finding of
2 Fact and Conclusion of Law Number 1 on Chairman's 1 is
3 adopted.

4 Number 3.

5 MEMBER KRYDER: Mr. Chairman, I move
6 approval of Finding of Fact and Conditions of Law -- and
7 Conclusions of Law -- excuse me -- Number 3 be approved
8 as now shown.

9 MEMBER LITTLE: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say aye.

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Finding of
17 Fact and Conclusion of Law Number 3 is adopted.

18 MEMBER LITTLE: Mr. Chairman, I move
19 Finding of Fact and Conclusion of Law Number 4.

20 MEMBER GOLD: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say aye.

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Finding of
3 Fact and Conclusion of Law Number 4 is adopted.

4 MEMBER GOLD: Mr. Chairman, I move Finding
5 of Fact and Conclusion Number 5 be adopted.

6 MEMBER KRYDER: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.
10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, Finding of
14 Fact and Conclusion of Law Number 5 is adopted.

15 Number 6.

16 MEMBER KRYDER: Mr. Chairman, I move
17 approval of Finding of Fact and Conclusion of Law Number
18 6 be approved as printed or shown.

19 MEMBER GOLD: Second.

20 CHMN STAFFORD: Further discussion?

21 (No response.)

22 CHMN STAFFORD: All in favor say aye.
23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Finding of
2 Fact and Conclusion of Law Number 6 is adopted.

3 Number 7.

4 MEMBER GOLD: Mr. Chairman, I move Finding
5 of Fact and Conclusion of Law Number 7 be adopted.

6 MEMBER KRYDER: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say aye.

10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, Finding of
14 Fact and Conclusion of Law Number 7 is adopted.

15 Number 8.

16 MEMBER KRYDER: Mr. Chairman, I move
17 approval of Finding of Fact and Conclusion of Law Number
18 8 be approved.

19 MEMBER GOLD: Second.

20 CHMN STAFFORD: Further discussion?

21 (No response.)

22 CHMN STAFFORD: All in favor say aye.

23 (A chorus of "ayes.")

24 CHMN STAFFORD: Opposed?

25 (No response.)

1 CHMN STAFFORD: Hearing none, Finding of
2 Fact and Conclusion of Law Number 8 is adopted.

3 Exhibit A. Which map is the applicant
4 intending to put as Exhibit A to the CEC?

5 MS. GRABEL: It is, I believe, Exhibit
6 Number 2, RP-2, however, we are modifying it in order to
7 include a discussion of the approved corridor, and so if
8 you want to give us just 10 minutes to print out a copy
9 of the new map for your review, we can have that for your
10 approval.

11 CHMN STAFFORD: Excellent suggestion.
12 Let's take a 10-minute recess.

13 We stand in recess.

14 (Recessed from 10:03 a.m. until 10:18 a.m.)

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

17 All right. So for Exhibit A to the
18 Certificate, the starting point was Exhibit RP-2, and the
19 applicant has added the 300-foot corridor right-of-way
20 between structures 43 and 44. Members have a copy of
21 that. I think the only thing we need to change with this
22 would be to make the legend more legible. It's just so
23 tiny, you can hardly read it. And I think the legend
24 does show that the existing line is the DCRT 500-kV line,
25 it's just really hard to read it.

1 MS. GRABEL: I think, Chairman Stafford, we
2 can significantly reduce what we have in the legend and
3 focus it on this project, which will allow us to make the
4 font bigger for the project description that actually
5 matters.

6 The map that we're looking at is a map from
7 the BLM as part of the NEPA process and so we'll just
8 take the same named parts and submit a new Exhibit A that
9 focuses on the transmission line.

10 CHMN STAFFORD: Okay. All right. So can
11 we move to get the modified SF-2 [sic] as Exhibit A?

12 MEMBER GOLD: I so move.

13 MEMBER MERCER: Second.

14 CHMN STAFFORD: All right. Further
15 discussion?

16 And the applicant, so we want to amend it
17 to have the legend made more legible in larger font so
18 you can see -- because it has the -- it has the
19 right-of-way labeled on here. It's just hard to see it
20 with the printout.

21 So can I get a motion to have them modify
22 the Exhibit A to make it more -- I guess you're going to
23 reduce some of the things in the legend to maintain -- so
24 you'll still have the -- where the project substation is,
25 where the D -- the DCRT substation that's tying into will

1 be, and the ROW/corridor, which is the same thing for
2 this case, and then the existing Ten West Link line is
3 also labeled on the map, correct?

4 MS. GRABEL: Yes, that is correct. I think
5 if we delete things like reference features and other
6 project components, but focus strictly on the energy
7 facilities, that could be helpful and allow us to blow up
8 the font on the other items.

9 CHMN STAFFORD: Okay. So that way it will
10 be clear what the committee is approving and what the
11 Commission will be looking at, at least 30 days from now.

12 MS. GRABEL: Correct. And what we have
13 done is we've put a little asterisk after "project area"
14 to talk about the 200-foot corridor/right-of-way, which
15 applies to the rest of the line, and call out in a
16 balloon the 300-foot structures between 43 and 44.

17 CHMN STAFFORD: Okay. Have we moved that
18 amendment, Members?

19 MEMBER MERCER: So moved.

20 MEMBER GOLD: It's been moved and seconded.

21 CHMN STAFFORD: All right. Further
22 discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say aye.

25 (A chorus of "ayes.")

1 CHMN STAFFORD: The amendment is approved.

2 Can we move Exhibit A, as amended?

3 MEMBER GOLD: I move Exhibit A, as amended.

4 MEMBER LITTLE: Second.

5 CHMN STAFFORD: Further discussion?

6 (No response.)

7 CHMN STAFFORD: All in favor say aye.

8 (A chorus of "ayes.")

9 CHMN STAFFORD: All right. I think we're
10 ready now to move the Certificate, as amended, along with
11 the Exhibit A.

12 MEMBER GOLD: I so move, Mr. Chairman.

13 MEMBER MERCER: Second.

14 CHMN STAFFORD: Further discussion?

15 (No response.)

16 CHMN STAFFORD: Member Little?

17 MEMBER LITTLE: Mr. Chairman, I -- I would
18 like to thank the applicant for all their hard work and
19 for their willingness to work with us. And with that, I
20 move aye -- or I vote aye.

21 CHMN STAFFORD: Member Gold?

22 MEMBER GOLD: I would like to commend the
23 applicant for their expediency in doing this, and I vote
24 aye.

25 CHMN STAFFORD: Member Kryder?

1 MEMBER KRYDER: Aye.

2 CHMN STAFFORD: Member Mercer?

3 MEMBER MERCER: Aye.

4 CHMN STAFFORD: Member Hill?

5 MEMBER HILL: (No response.)

6 CHMN STAFFORD: Oh, she had to leave us.

7 Member French?

8 MEMBER FRENCH: Aye.

9 CHMN STAFFORD: Member Richins?

10 MEMBER RICHINS: Aye.

11 CHMN STAFFORD: And I vote aye. By a vote

12 of seven ayes and zero nays, the CEC is approved.

13 Thank you very much.

14 MS. GRABEL: Thank you.

15 CHMN STAFFORD: This is a relatively short

16 hearing, despite the length of the application.

17 MEMBER KRYDER: Scrivener's notes.

18 MEMBER MERCER: Scrivener's notes.

19 CHMN STAFFORD: Oh, yes. I would like --

20 can I get a motion to -- for the Chair to correct

21 scrivener's errors in the final preparation of the

22 Certificate to submit to the Commission?

23 MEMBER MERCER: So moved.

24 MEMBER GOLD: Second.

25 CHMN STAFFORD: Further discussion?

1 (No response.)

2 CHMN STAFFORD: All in favor say aye.

3 (A chorus of "ayes.")

4 CHMN STAFFORD: Opposed?

5 (No response.)

6 CHMN STAFFORD: The motion carries.

7 Thank you all very much.

8 Any final comments from members?

9 MEMBER LITTLE: I would like to know where
10 the name came from.

11 MR. POWERS: Actually, the name came from
12 our cultural resource lead, Avi Buckles with Westland,
13 this area of Arizona is in the Ranegras Plain.

14 MEMBER LITTLE: Ah, okay. Thank you.

15 CHMN STAFFORD: Well, thank you very much.

16 MEMBER KRYDER: A comment. I appreciate
17 the Corporation Commission allowing us to use their
18 hearing room, but it ain't as nice as the hotels.

19 CHMN STAFFORD: Thank you.

20 Thank you all very much.

21 With that, we are adjourned.

22 (The hearing concluded at 10:24 a.m.)

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24

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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)

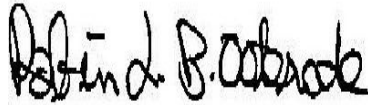
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4 BE IT KNOWN that the foregoing proceedings were
5 taken before me; that the foregoing pages are a full,
6 true, and accurate record of the proceedings all done to
the best of my skill and ability; that the proceedings
were taken down by me in shorthand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

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

9 I CERTIFY that I have complied with the ethical
10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206
11 (J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this
12 13th day of February, 2025.

13



14

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

15

* * * * *

16 I CERTIFY that Glennie Reporting Services, LLC,
17 has complied with the ethical obligations set forth in
18 ACJA 7-206(J)(1)(g)(1) through (6).

19



20

GLENNIE REPORTING SERVICES, LLC
Registered Reporting Firm
Arizona RRF No. R1035