

1 BEFORE THE ARIZONA POWER PLANT LS-305

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE APPLICATION ) DOCKET NO.  
 4 OF 315PC 8ME LLC, IN CONFORMANCE ) L-21241A-23-0102-00220  
 WITH THE REQUIREMENTS OF ARIZONA )  
 5 REVISED STATUTES 40-360 ET. ) LS CASE NO. 220  
 SEQ., FOR CERTIFICATES OF )  
 6 ENVIRONMENTAL COMPATIBILITY )  
 AUTHORIZING THE CONSTRUCTION OF )  
 7 THE BOOTH HILLS TRANSMISSION )  
 PROJECT AND ASSOCIATED )  
 8 INTERCONNECTION FACILITIES )  
 LOCATED WITHIN MARICOPA COUNTY )  
 9 AND PINAL COUNTY, ARIZONA. )  
 \_\_\_\_\_ ) EVIDENTIARY HEARING

10

11 At: Avondale, Arizona

12 Date: June 5, 2023

13 Filed: June 9, 2023

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15 REPORTER'S TRANSCRIPT OF PROCEEDINGS

16

VOLUME I  
(Pages 1 through 104)

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

24

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

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1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before the  
3 Arizona Power Plant and Transmission Line Siting  
4 Committee at Hilton Garden Inn, 11460 West Hilton Way,  
5 Avondale, Arizona, commencing at 1:14 p.m. on  
6 June 5, 2023.

7

8 BEFORE: ADAM STAFFORD, Chairman

9 GABRIELA S. MERCER, Arizona Corporation Commission  
10 LEONARD DRAGO, Department of Environmental Quality  
11 DAVID FRENCH, Arizona Department of Water Resources  
12 R. DAVID KRYDER, Agriculture Interests  
13 SCOTT SOMERS, Incorporated Cities and Towns  
14 ROMAN FONTES, Counties  
15 MARGARET "TOBY" LITTLE, PE, General Public  
16 (via videoconference)

17 APPEARANCES:

18 For the Applicant:

19 Jason Moyes, Esq.  
20 MOYES SELLERS & HENDRICKS  
21 1850 North Central Avenue  
22 Suite 1100  
23 Phoenix, Arizona 85004

24 Also Present:

25 Claire Phillips, WestLand Resources  
Julie Larsen, Paralegal to Mr. Moyes

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

2 Now is the time set for the hearing on the  
3 application for Certificate of Environmental  
4 Compatibility Booth Hills Transmission project, Docket  
5 No. L-21241A-23-0102-00220.

6 We'll just call it Line Siting Case 220 to keep  
7 it brief.

8 Let's take a roll call of the Members.

9 Member Fontes.

10 MEMBER FONTES: Here. Present.

11 CHMN STAFFORD: Member Drago.

12 MEMBER DRAGO: Good afternoon. Director's  
13 designee for the Arizona Department of Environment  
14 Quality.

15 CHMN STAFFORD: Member Kryder.

16 MEMBER KRYDER: Good afternoon. Richard David  
17 Kryder for -- representing Arizona Agriculture,  
18 Agriculture of Arizona.

19 CHMN STAFFORD: Member Mercer.

20 MEMBER MERCER: Gabriela Mercer, designee for  
21 the Chairman of the Arizona Corporation Commission.

22 CHMN STAFFORD: Member Little.

23 MEMBER LITTLE: Toby Little representing the  
24 public.

25 CHMN STAFFORD: And Member French.

1 MEMBER FRENCH: Good afternoon. David French,  
2 director's designee from the Arizona Department of Water  
3 Resources.

4 All right. Take appearances, please.

5 MR. MOYES: Good afternoon, Mr. Chairman and  
6 Members of Committee. My name is Jason Moyes with the  
7 law firm of Moyes Sellers & Hendricks. And I am local  
8 counsel for the Applicant in this case, 315PC 8ME LLC.

9 With me is to my right my trusted paralegal  
10 Ms. Julie Larsen from my office.

11 And I will also introduce our Avantus members.  
12 I can do that now, Mr. Chairman, or during my opening  
13 statement.

14 CHMN STAFFORD: You can introduce them now and  
15 then make your opening statement.

16 MR. MOYES: Okay. Our witnesses are in the  
17 order that they will appear with us is Mr. Jason Moretz,  
18 Ms. Tracy Hamilton and Mr. Patrick Tan from Avantus.

19 Our environment consultants testifying today is  
20 Brian Lindenlaub at the table, and with Brian is  
21 Ms. Claire Phillips, also with WestLand Resources.

22 And then we always love to acknowledge and  
23 appreciate our Peaks Audio team here. I thank them for  
24 their help today.

25 CHMN STAFFORD: Go ahead and make your opening

1 statement.

2 MR. MOYES: Thank you, Mr. Chairman.

3 Once again, good afternoon to you and the  
4 Members of the Committee. We appreciate you being here  
5 today.

6 It's a pleasure for me to be here once again  
7 representing a project that I'm proud to be a part of.  
8 My experience with these line siting matters first began  
9 in 2014 with the original Sun Streams project. That was  
10 with Judge Foreman, if any of you got to know him.

11 I want to express appreciation on behalf of all  
12 of Arizona for Mr. Stafford, the Chairman's service on  
13 this Committee with a new Committee, and to each and  
14 every one of you individually. We know you have other  
15 important things you could be doing, and we appreciate  
16 you spending the time to hear these cases, especially for  
17 us today.

18 Mr. Chairman, we've worked hard to organize this  
19 short case to efficiently confirm that the appropriate  
20 record supporting a decision today authorizing the Booth  
21 Hills Transmission Project.

22 I will describe to you briefly what the  
23 witnesses we have previously introduced to you will be  
24 speaking on. We only have four witnesses. We will be  
25 presenting our case in a two-panel format. The first



1 panel, which we will call the Avantus panel, will consist  
2 of Mr. Moretz and Ms. Hamilton and Mr. Tan.

3 Mr. Moretz is the Senior Vice President of  
4 Development for Avantus. Ms. Tracy Hamilton is the  
5 Director of Permitting for Avantus. And Mr. Patrick Tan  
6 is the Senior Director of Transmission and  
7 Interconnection.

8 Following that panel, Mr. Chairman, we will  
9 transition to our environmental panel where Mr. Brian  
10 Lindenlaub again with WestLand Resources, the Vice  
11 President of WestLand, will be our witness, will present  
12 a virtual tour for the Committee and complete his  
13 testimony regarding all of the statutory requirements  
14 required for a CEC.

15 Most of our testimony today has been pre-filed.  
16 We hope the Committee's had an opportunity to look  
17 through that and understand why we're here today. If you  
18 have had that opportunity, you'll know that we are here  
19 today requesting two separate CECs for relatively short  
20 gen-tie lines that will interconnect two neighboring  
21 solar and battery storage facilities, the Pinyon Solar  
22 Project and the Caballero Solar Project, which we'll  
23 refer to throughout the hearing as the solar facilities.

24 And while those facility -- the solar facilities  
25 aren't necessarily jurisdictional to this process, some

1 context and understanding of their location and logistics  
2 will help explain why we are requesting two CECs today,  
3 which we will provide in our testimony.

4 Our primary remaining task, Mr. Chairman, will  
5 be to review that evidence, answer any questions you may  
6 have, and we'll try to do that efficiently so that we can  
7 all accomplish our objective and not spend too many days  
8 here.

9 To that end, we'd appreciate the Chairman and  
10 the Committee indulging us in trying to hold questions  
11 until the end of our witnesses, if possible. Of course,  
12 we will be responsive whenever you have questions if  
13 they're raised during someone's testimony, but sometimes  
14 deferral to the end may be the best immediate answer to a  
15 question when they can obtain more information.

16 The Applicant, 315PC 8ME LLC, is an entity  
17 wholly owned by Avantus. Mr. Moretz will testify more  
18 about the company's background and experience. He will  
19 describe the solar facilities and the breadth and depth  
20 of Avantus's premier integrated position in today's solar  
21 energy industry. His presentation will confirm Avantus's  
22 capabilities and their objectives for the Booth Hills  
23 Transmission Project.

24 Next, Ms. Hamilton will review and supplement  
25 her pre-filed written testimony, which identifies the

1 location of the transmission project, its routing, its  
2 shared right-of-way corridor, and the two independent  
3 substations and relatively short gen-tie lines.

4 Mr. Patrick Tan will then briefly address the  
5 engineer design and structures of the project as well as  
6 an overview of the transmission system impact studies and  
7 the contractual interconnection agreements which will  
8 allow the Booth Hills Transmission Project to safely and  
9 reliably link up the solar projects to the Pinal West  
10 Substation, and thus the regional grid without adverse  
11 effect on the Arizona Transmission System.

12 After Mr. Tan, we'll briefly return to  
13 Ms. Hamilton to address the other major permitting  
14 requirements associated with the solar projects, and she  
15 will also describe the need for the Booth Hills  
16 Transmission Project to bring that solar power to the  
17 grid.

18 Ms. Hamilton will also assist as necessary with  
19 our second panel, our environmental panel, which features  
20 Mr. Lindenlaub. His testimony will confirm the  
21 supportive findings with respect to all those statutory  
22 requirements that we mentioned for CECs and also explain  
23 in detail the very robust public outreach process that  
24 the Applicant has undertaken to be prepared for today.

25 And, as I mentioned, Mr. Lindenlaub will guide

1 us through a virtual tour to help the Committee  
2 understand exactly where this project is located and what  
3 it will look like after construction.

4 Our witnesses will use PowerPoint slides, as  
5 you're well-accustomed to, on the main screens. All of  
6 our exhibits have also been either pre-filed or  
7 pre-loaded onto your tablets or those late-filed exhibits  
8 have been delivered to you by hand moments ago.

9 In summary, because of its peculiar remote  
10 location and its simple components we believe the Booth  
11 Hills Transmission Project will be virtually homogenous  
12 with and clearly compatible with both the site-specific  
13 and the overall surrounding environment.

14 We are confident that you will agree and that we  
15 efficiently work together to confirm that conclusion and  
16 issue the requested certificates. Thank you,  
17 Mr. Chairman.

18 CHMN STAFFORD: Thank you.

19 Would you like to call your first panel of  
20 witnesses?

21 MR. MOYES: We would. But briefly,  
22 Mr. Chairman, as I alluded to before the hearing began,  
23 we have a number of exhibits that were pre-filed, some of  
24 which will be discussed by the witnesses during their  
25 testimony, but there were a few other procedural exhibits

1 that were filed that we would like to admit into the  
2 record, and I don't know if you want to have me describe  
3 them one by one.

4 CHMN STAFFORD: Are you talking about BH-18 and  
5 19?

6 MR. MOYES: Those are two supplemental exhibits  
7 that you didn't have previously, but those are included  
8 in the group that I'm talking about. The other ones have  
9 to do with the slides that we're presenting, the virtual  
10 tour itinerary, some public outreach proof of delivery  
11 for the notices and so on and so forth.

12 If you would like, we can specifically mention  
13 those or I can bring them up as they're mentioned in  
14 testimony. It's just those few other ones such as the  
15 Staff response letter that they won't be testifying on.

16 CHMN STAFFORD: That's fine. You can go ahead  
17 and just address the exhibits as they're going through  
18 their testimony. You want to have the two that have been  
19 marked?

20 MR. MOYES: Yes. The exhibits before you marked  
21 as BH-18. That particular exhibit is just an addition  
22 and supplement to the social media outreach slides that  
23 you will see presented before you today. The bulk of  
24 those slides are already in BH-6.

25 And then the last letter marked as BH-19 is a

1 response from Staff to the Chairman's request for  
2 information regarding the project's and Staff's  
3 indication that they did not plan to intervene and didn't  
4 have major issues with either of the Caballero or the  
5 Pinyon projects.

6 So with your permission we would move to admit  
7 those, Mr. Chairman.

8 CHMN STAFFORD: 18 and 19?

9 MR. MOYES: Yes.

10 CHMN STAFFORD: BH-18 and BH-19 are admitted.

11 (Exhibits BH-18 and BH-19 were admitted.)

12 MR. MOYES: The rest of the exhibits I will do  
13 my best to interrupt and point out or after each relevant  
14 witness's testimony when they've spoken about them and  
15 admit those.

16 Our first witness panel, as I mentioned, will be  
17 the Avantus panel, and we will first introduce all three  
18 of those panel members, Mr. Chairman, Members of the  
19 Committee, some of the line of questioning will interact  
20 and go back and forth between those three. We would find  
21 that most helpful. So I will start with Mr. Jason  
22 Moretz. I don't know if you want to swear the witnesses  
23 in first, Mr. Chairman.

24 CHMN STAFFORD: Yes. I was -- so I'm swearing  
25 in Mr. Moretz, Ms. Hamilton and Mr. Tan at this point?

1 MR. MOYES: That's correct.

2 CHMN STAFFORD: All right. Mr. Moretz, would  
3 you prefer an oath of affirmation?

4 MR. MORETZ: Affirmation, please.

5 CHMN STAFFORD: Do you affirm the testimony you  
6 will give in this matter will be the truth, the whole  
7 truth, and nothing but the truth taking into  
8 consideration the penalties for perjury in the State of  
9 Arizona?

10 MR. MORETZ: Yes, I do.

11 CHMN STAFFORD: Ms. Hamilton, oath or  
12 affirmation?

13 MS. HAMILTON: Affirmation.

14 CHMN STAFFORD: Do you affirm the testimony you  
15 will give in this matter will be the truth, the whole  
16 truth, and nothing but the truth taking into  
17 consideration the penalties for perjury in the State of  
18 Arizona?

19 MS. HAMILTON: Yes.

20 CHMN STAFFORD: Mr. Tan?

21 MR. TAN: Affirmation, please.

22 CHMN STAFFORD: Do you affirm the testimony you  
23 will give in this matter will be the truth, the whole  
24 truth, and nothing but the truth taking into  
25 consideration the penalties for perjury in the State of

1 Arizona?

2 MR. TAN: Yes.

3 CHMN STAFFORD: Thank you. You may proceed,  
4 Mr. Moyes.

5 MR. MOYES: Thank you, Mr. Chairman.

6  
7 JASON MORETZ, TRACY HAMILTON, and PATRICK TAN,  
8 called as witnesses as a panel on behalf of Applicant,  
9 having been previously affirmed or sworn by the Chairman  
10 to speak the truth and nothing but the truth, were  
11 examined and testified as follows:

12

13 DIRECT EXAMINATION

14 BY MR. MOYES:

15 Q. Mr. Moretz, could you please state your name and  
16 business address for the record.

17 A. (Mr. Moretz) Good afternoon. My name is Jason  
18 Moretz. My business address is 3115 East Lion Lane in  
19 Salt Lake City, Utah.

20 Q. And by whom are you employed and what is your  
21 job title?

22 A. (Mr. Moretz) I'm employed by Avantus as Senior  
23 Vice President of Development.

24 Q. Mr. Moretz, have you previously testified before  
25 this Committee in Arizona?



1 A. (Mr. Moretz) I have not.

2 Q. Can you describe your educational background for  
3 the Committee, please?

4 A. (Mr. Moretz) I have a PhD in ecology and  
5 evolutionary biology from Ohio University, and Bachelor's  
6 and Master's in science degree in biology from Winthrop  
7 University in South Carolina.

8 Q. And what role do you serve for Avantus,  
9 Mr. Moretz?

10 A. (Mr. Moretz) I lead the overall development and  
11 strategy of our southwest portfolio, so projects in  
12 Arizona, Colorado, Nevada and Utah. Those fall under my  
13 purview.

14 Q. As it relates specifically to this project  
15 today, the Booth Hills Transmission Project, what have  
16 your responsibilities been?

17 A. (Mr. Moretz) I'm the lead developer for this  
18 project. So I am responsible for its overall development  
19 and execution. And specifically I lead the coordination  
20 and facilitation of the various subject matter experts  
21 that work on the project.

22 Q. Thank you.

23 Ms. Hamilton, would you please state for the  
24 record your name and business address.

25 A. (Ms. Hamilton) My name is Tracy Hamilton, and

1 my business address is 2375 East Camelback Road, Suite  
2 600, Phoenix, Arizona 85016.

3 Q. And by whom are you employed and what is your  
4 job title?

5 A. (Ms. Hamilton) I am employed by Avantus, and my  
6 job title is Director of Permitting.

7 Q. Have you previously testified before this  
8 Committee, Ms. Hamilton?

9 A. (Ms. Hamilton) I have not.

10 Q. And would you briefly describe your educational  
11 background, please.

12 A. (Ms. Hamilton) I have a Bachelor's in  
13 environmental studies from the University of Nevada,  
14 Las Vegas and a Master's in environmental law and policy  
15 from Vermont Law School.

16 Q. Could you please describe an overview of your  
17 role and responsibilities as a Director of Permitting at  
18 Avantus?

19 A. (Ms. Hamilton) Yes. I lead land entitlements  
20 and discretionary permits for utility scale projects. I  
21 support cross-functional teams in understanding the  
22 implications of permitting strategies. I support  
23 financing activities such as financial due diligence, and  
24 I also work to maintain a government relations and  
25 outreach program.

1 Q. Ms. Hamilton, as it relates specifically to the  
2 Booth Hills Transmission Project, what have your specific  
3 roles and responsibilities been?

4 A. (Ms. Hamilton) I am the permitting lead for the  
5 project, and I am overseeing the acquisition of all  
6 discretionary permits and overseeing all of the  
7 environmental surveys and studies and technical reports  
8 that are being completed as part of that.

9 Q. Thank you.

10 Mr. Tan, would you please give your full name  
11 and business address.

12 A. (Mr. Tan) Yes. Patrick Tan. Business address  
13 is 4370 Town Center Boulevard, Suite 110, in El Dorado  
14 Hills, California 95762.

15 Q. And could you please provide the name of your  
16 employer and job title.

17 A. (Mr. Tan) Yes. My employer is Avantus, and I  
18 am Senior Director of Transmission and Interconnection.

19 Q. Mr. Tan, have you had the opportunity to testify  
20 previously before this Committee?

21 A. (Mr. Tan) I have not.

22 Q. And what are your educational backgrounds?

23 A. (Mr. Tan) Yes. I have a Bachelor's degree in  
24 electrical engineering from Cal Poly, San Luis Obispo. I  
25 also have a Master's in business administration from UC

1 Berkeley, Haas School of Business. I'm also a certified  
2 professional electrical engineer.

3 Q. As senior director of transmission and  
4 interconnection for Avantus what are your roles and  
5 responsibilities?

6 A. (Mr. Tan) Yes. I lead interconnection efforts  
7 on projects across the country, including Arizona. We  
8 typically determine the best places on the electric grid  
9 to connect our projects. We also prepare the  
10 applications to go through the utility processes, work  
11 with the utilities on the studies that they perform, as  
12 well as negotiate the interconnection agreements.

13 Q. And specifically with regards to this project,  
14 the Booth Hills Transmission Project, Mr. Tan, what have  
15 your particular responsibilities been?

16 A. (Mr. Tan) I performed all these exact  
17 responsibilities for these projects.

18 Q. Okay. Thank you.

19 We'll now go back to Mr. Moretz.

20 Mr. Moretz, can you explain to the Committee the  
21 relationship between the entity that filed this  
22 application, 315PC 8ME LLC, and Avantus, the company that  
23 you work for?

24 A. (Mr. Moretz) 315PC is a specific purpose vehicle  
25 that we set up specifically for this project. For all of

1 our projects we establish a legal entity, and Avantus  
2 wholly owns each of those legal entities. In this case  
3 it's 315PC.

4 Q. And what would you like the Committee to know  
5 about Avantus and its experience in the southwest?

6 A. (Mr. Moretz) Avantus was formed in 2009. We  
7 originated in California and have been expanding since.  
8 Today, our southwest portfolio accounts for about half of  
9 the overall Avantus portfolio. We're about 185 people  
10 now.

11 I would also mention as of today we have 2  
12 gigawatts of projects that are in operation in addition  
13 to the pipeline here on the screen.

14 Q. And that includes projects in the pipeline for  
15 Arizona as well; is that correct?

16 A. (Mr. Moretz) It does. We have about a dozen  
17 projects in Arizona that are in various stages of  
18 development all the way from brand-new interconnection  
19 requests to projects that are about construction ready.

20 Q. Thank you. Can you briefly describe for the  
21 Committee the two solar projects that this transmission  
22 project will support?

23 A. (Mr. Moretz) Sure. Referring to the screen,  
24 the green project here, this our Pinyon project. This is  
25 a 300-megawatt solar plus storage project. To the west

1 in the blue this is the Caballero project. This is a  
2 200-megawatt solar plus storage project.

3 Q. And can you describe the battery storage  
4 projects that were mentioned in the application and how  
5 they relate to those two solar projects?

6 A. (Mr. Moretz) Sure. For the Caballero  
7 project -- sorry, let me start with Pinyon. For Pinyon,  
8 this is a 300-megawatt by 4-hour battery, and for  
9 Caballero it's a 200-megawatt by 4-hour battery.

10 Q. And where will those battery storage projects be  
11 located in relation to the solar projects?

12 A. (Mr. Moretz) The battery energy storage systems  
13 will be located for -- Caballero will be here at the  
14 little blue square. They'll be located next to the high  
15 voltage substation for the project.

16 And the same here on Pinyon. The battery  
17 portion of the project will be located here next to the  
18 high voltage substation.

19 Q. Can you describe for the Committee, Mr. Moretz,  
20 the land ownership and the size of the solar projects?

21 A. (Mr. Moretz) Both of these projects will be  
22 located on a mix of BLM and private land. The Pinyon  
23 project, again, the one in green, is located on almost  
24 wholly owned BLM land. It's about 1750 acres plus or  
25 minus and about 250 acres of private land.

1           The Caballero project has a little bit more  
2 private land, about 500 megawatts -- sorry, about 500  
3 acres with about 1250 acres on BLM land.

4           Q.       And when does Avantus anticipate starting  
5 construction for the solar projects?

6           A.       (Mr. Moretz) The Pinyon project as it's  
7 currently envisioned now would be Q3 of 2024.

8           The Caballero project would begin construction  
9 in Q1 of 2025.

10          Q.       And how long will those projects take to  
11 complete or I'll question -- I'll word that differently.

12                When is the anticipated operation date for both  
13 of those projects?

14          A.       (Mr. Moretz) May 2026.

15          Q.       Thank you, Mr. Moretz.

16                Is there anything else you wish to add to your  
17 testimony at this time?

18          A.       (Mr. Moretz) No, thank you.

19          Q.       Ms. Hamilton, will you please provide the  
20 Committee with an overview of the Booth Hills  
21 Transmission Project and its two components?

22          A.       (Ms. Hamilton) The proposed Booth Hills  
23 Transmission Project consists of two gen-ties and two  
24 project substations that will support the proposed Pinyon  
25 Solar Project and Caballero solar project.

1 Q. Can --

2 A. (Ms. Hamilton) Yes.

3 Q. Can you tell us more about the routes that each  
4 project will take?

5 A. (Ms. Hamilton) Yes. So as Jason just  
6 described, the Caballero solar project is in blue.

7 The Pinyon Solar Project is in green.

8 The gen-ties originate at the Caballero  
9 substation, and the Caballero gen-tie would then follow  
10 the southernmost boundary of the Pinyon Solar Project  
11 project, and it would come around, and it would meet with  
12 the Pinyon Solar Project gen-tie where they would share a  
13 common corridor generally headed east/west to their  
14 respective points of interconnection at the existing  
15 Pinal West Substation in Pinal County.

16 BY MR. MOYES:

17 Q. So the transmission corridor that you described,  
18 Ms. Hamilton, will be shared between the two lines at  
19 some point? Can you describe more where exactly that is?

20 A. (Ms. Hamilton) Yes. The shared corridor begins  
21 at the -- as you can see on the map here, just outside of  
22 the southern -- the southeastern corner of the Pinyon  
23 Solar Project where they're sited or colocated within the  
24 same 200-foot corridor.

25 Q. So will the entirety of that corridor from the



1 start of the Caballero substation all the way to the  
2 connection to the Pinal West, will that entire corridor  
3 be 200 feet wide?

4 A. (Ms. Hamilton) Yes. The entire corridor will  
5 be 200 feet wide.

6 Q. But you're constructing two gen-tie lines within  
7 that same corridor; is that correct?

8 A. (Ms. Hamilton) Yes, that is correct.

9 Q. Okay. Can you describe for the Committee the  
10 purpose and need for these two gen-ties?

11 A. (Ms. Hamilton) Yes. So the purpose of these --  
12 of the Booth Hills transmission project is to  
13 interconnect the proposed Pinyon Solar Project and  
14 proposed Caballero Solar Project to the regional electric  
15 grid.

16 And the need for the projects is so that you can  
17 transmit the -- up to 200-megawatt solar -- excuse me,  
18 Caballero solar project and up to 300-megawatt Pinyon  
19 Solar Project to the regional grid.

20 Q. Ms. Hamilton, from an environmental perspective  
21 what are the benefits of using a joint corridor and  
22 building two lines within that same right-of-way?

23 A. (Ms. Hamilton) By collocating the lines within  
24 a 200-foot common corridor and constructing separate  
25 lines as opposed to one double circle line we're able to

1 minimize the footprint of the projects and use smaller  
2 poles than would be required if we were to construct a  
3 double-circuit high voltage line.

4 And so it minimizes overall impacts on  
5 biological resources, cultural resources, visual  
6 resources, and minimizes disturbance overall.

7 Q. Thank you. Can you describe, Ms. Hamilton, the  
8 relevant jurisdictions that are pertinent to both the  
9 Caballero and the Pinyon Solar Project gen-ties?

10 A. (Ms. Hamilton) Yes. So the Caballero gen-tie  
11 line along this -- the southern boundary of Pinyon Solar  
12 Project is largely within federal lands managed by the  
13 Bureau of Land Management, Lower Sonoran Field Office and  
14 the Pinyon Solar gen-tie line and where it is collocated  
15 with the Caballero solar line is largely on private lands  
16 in unincorporated Maricopa and Pinal Counties.

17 Q. Can you show on the map for the Committee  
18 roughly where that change from Maricopa County to Pinal  
19 County is?

20 A. (Ms. Hamilton) Yes. So as you can see on the  
21 map, there is a dotted line that is north/south, and that  
22 is the distinction between Maricopa County, which is to  
23 the left or the west and Pinal County, which is to the  
24 right or to the east.

25 Q. So the vast majority of the transmission lines

1 are sited within Maricopa County?

2 A. (Ms. Hamilton) Yes. All but just under half a  
3 mile or approximately .45-mile within Pinal County. The  
4 remainder is in Maricopa County.

5 Q. Okay. Mr. Tan, can you describe for the  
6 Committee the types of structures that will be used to  
7 support those gen-tie lines that were just described by  
8 Ms. Hamilton?

9 A. (Mr. Tan) Yes. We expect to use a combination  
10 -- or a three-pole or a mono-pole dead end or angled  
11 structures as well as potentially two-pole H-frame and  
12 mono-pole tangent structures.

13 On the screen here are examples of different  
14 kinds of mono-pole type of structures meaning a single  
15 pole. There's going to be approximately 21 combined  
16 structures for Pinyon and 39 combined structures for  
17 Caballero.

18 Q. Mr. Tan, do you know relatively what the maximum  
19 height of any structure anywhere within this project is  
20 expected to be?

21 A. (Mr. Tan) Yes. The maximum height will be  
22 200 feet.

23 Q. And with regards to the project substations  
24 themselves, can you please elaborate on what equipment  
25 and how those substations work for the Committee?

1           A.       (Mr. Tan) Yes. Starting with the Pinyon  
2 substation, the substation connects the 34.5kV solar  
3 project to the 345kV Tucson Electric Power Transmission  
4 Grade using two step-up transformers. Each transformer  
5 and the generation tie-line will have circuit breakers  
6 and disconnect switches for safety purposes to connect to  
7 the grid.

8                       And there will be protection and metering  
9 transformers on both 34.5kV and 345kV buses and there  
10 will also be capacitor banks, which are used power factor  
11 support and voltage support. That will be included on  
12 the 34.5kV bus.

13                      There will also be a control building within the  
14 substation yard, which holds protection and communication  
15 equipment.

16                      The Caballero project will have a similar  
17 arrangement except it's going to be connecting to the  
18 500kV Salt River Project system.

19           Q.       And so two different entities -- or two  
20 different utilities, rather, that we have to connect to  
21 with these two separate lines; correct?

22           A.       (Mr. Tan) That's correct.

23           Q.       And, as I understand it, Mr. Tan, any time a  
24 project of this nature is to be constructed there is a  
25 fairly robust interconnection process that has to take

1 place ahead of time; is that correct?

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

3 Q. Can you please describe what that process  
4 entails for the Committee?

5 A. (Mr. Tan) Yes. The -- so to move forward in  
6 the interconnection process you need -- a project will  
7 need to submit an interconnection request to the utility.  
8 So for Pinyon we submitted to Tucson Electric Power. The  
9 utility would then accept the application and place the  
10 project in the generation interconnection queue, which  
11 would -- does have all of the projects that were  
12 submitted to Tucson Electric for interconnecting to the  
13 grid.

14 The Salt River Project would follow a similar  
15 process.

16 Q. Have those requests, in fact, been submitted to  
17 the two utilities?

18 A. (Mr. Tan) Yes. So Pinyon Solar Project was  
19 submitted to Tucson Electric Power in September 2018.

20 And Caballero was submitted to Salt River  
21 Project in June 2020.

22 Q. Mr. Tan, can you briefly summarize the scope of  
23 the system impact and facilities studies that were  
24 conducted by these two utilities?

25 A. (Mr. Tan) Yes. So for Pinyon with Tucson

1 Electric Power they performed three studies. The first  
2 of which is called the feasibility study where they  
3 perform a high-level analysis of the grid and the impact  
4 of the project. They would then provide us just a  
5 high-level cost and schedule for that.

6 Next they would move into the system impact  
7 study, which is a more robust analysis of the grid, which  
8 includes other projects that are in the generation  
9 interconnection queue to ensure everyone's taken into  
10 account. They would then run that analysis and similarly  
11 determine an updated cost schedule scope of work required  
12 to connect.

13 Finally, they would perform a facilities study  
14 which requires -- it's a even more in-depth physical look  
15 going to the substations, and then they can hone in on  
16 the exact scope needed for -- to connect the projects.

17 Salt River Project follows a similar process to  
18 Tucson Electric Power with the exception that they do not  
19 perform a feasibility study.

20 Q. And these studies that you just described for  
21 the Committee, have they already taken place as well for  
22 the both projects?

23 A. (Mr. Tan) For Pinyon, the feasibility study for  
24 300 megawatts was completed in April 2019. The system  
25 impact study was completed in November 2019. And the

1 facilities study was completed in June 2020.

2 For Caballero, the system impact study was  
3 completed in May 2022. And the facilities study is  
4 currently in progress.

5 Q. Mr. Tan, as part of the exhibits that were  
6 pre-filed I'll draw your attention to Exhibit BH-16. Do  
7 you have that in front of you?

8 A. (Mr. Tan) Yes.

9 Q. BH-16 appears to be a set of data requests from  
10 the Corporation Commission Staff. Can you describe for  
11 the Committee what that is, what they were asking, and  
12 what your responses were in summary?

13 A. (Mr. Tan) Yes. The -- so there -- I will go  
14 through -- I can go through each question, if that's  
15 desired.

16 Q. You can do that if you like.

17 A. (Mr. Tan) Well, in general, it was the first  
18 question was were the system impacts evaluated? And the  
19 answer is yes, they were. They were performed as part of  
20 the system impact study. We did provide those studies to  
21 the Committee. There was also questions --

22 Q. As opposed to going through each one of those  
23 questions, Mr. Tan, can you just summarize the overall --  
24 what -- what was Staff's concerns overall?

25 A. (Mr. Tan) I mean, the Staff's concerns overall

1 was just that whether there was an impact on the grid,  
2 and in general -- or as a whole there was not. The  
3 primary item that was shown was at -- for the Caballero  
4 project with the Salt River Project that it did not cause  
5 violations but during -- if it charged from the grid at  
6 the full size that it could cause system issues under  
7 certain rare outages.

8 As a mitigation for that and as a best practice  
9 we would not charge from the grid during any scenario  
10 where that's a possibility. So that's how we would  
11 mitigate dealing with that issue. And that's -- that  
12 would be fairly common practice for these projects.

13 Q. Mr. Tan, was there any concern expressed by  
14 Staff or by either utility in these interconnection  
15 studies that Avantus would not be able to mitigate or  
16 fully satisfy in order to safely and reliably connect  
17 these projects to the grid?

18 A. (Mr. Tan) No. We felt we were able to safely  
19 address all issues.

20 MR. MOYES: Mr. Chairman, I'd move to admit  
21 Exhibit BH-17 at this point.

22 CHMN STAFFORD: BH-17 or BH-16?

23 MR. MOYES: Oh, I'm sorry, 16. Thank you.

24 CHMN STAFFORD: Exhibit BH-16 is admitted.

25 (Exhibit BH-16 was admitted.)



1 BY MR. MOYES:

2 Q. Going back to your previous line of questioning,  
3 Mr. Tan. After those studies are completed what is the  
4 next step in the process for interconnecting the  
5 projects?

6 A. (Mr. Tan) Yes. After the studies are complete,  
7 Pinyon and Caballero would then each execute a large  
8 generator interconnection agreement with Tucson Electric  
9 Power and Salt River Project respectively. That in that  
10 agreement it would outline the obligations, the scope,  
11 the cost and the milestones for the projects to come  
12 online.

13 Once that is executed, the projects would work  
14 with TEP and SRP to engineer, procure, and construct  
15 these projects.

16 Q. And has a large generator interconnection  
17 agreement been undertaken for either or both projects?

18 A. (Mr. Tan) Yes. The large generator  
19 interconnection agreement for Pinyon with Tucson Electric  
20 Power is in progress. And we are awaiting the draft  
21 interconnection agreement from Salt River Project for  
22 Caballero, which would be provided after they complete  
23 their facility study.

24 Q. And are those two projects studied under the  
25 same queue are or are they separate?

1 A. (Mr. Tan) These are studied under separate  
2 interconnection processes. Pinyon went under Tucson  
3 Electric's process, and Caballero went under Salt River  
4 Project's process.

5 Q. Thank you, Mr. Tan.

6 I have a few follow-up questions for  
7 Ms. Hamilton.

8 Ms. Hamilton, other than the CEC permit that we  
9 are obviously here for today, are there other  
10 discretionary permits that are required to construct both  
11 the battery energy storage system facilities and the  
12 gen-ties to hook those up to the grid?

13 A. (Ms. Hamilton) Yes. Both the Pinyon Solar  
14 Project and the Caballero Solar Project have a portion on  
15 federal lands that are managed by the Bureau of Land  
16 Management. And both projects are currently under  
17 evaluation by the Bureau of Land Management under their  
18 obligations to require a comprehensive environmental  
19 review prior to issuance of a new right-of-way grant.

20 Both projects are subject to a law known as  
21 the -- as National Environmental Policy Act or NEPA, and  
22 it is a very comprehensive environmental review process,  
23 and both projects are subject in their entirety,  
24 including the gen-ties to that process.

25 Q. So with those processes underway or yet to be

1 completed, is it an accurate statement that there is an  
2 additional public process where folks will have an  
3 opportunity to comment on the broader scale aspects of  
4 this project or rather the solar and battery storage  
5 projects that aren't jurisdictional to a CEC?

6 A. (Ms. Hamilton) Yes, that is accurate.

7 Q. Do you have an anticipated time frame for  
8 completion of those processes?

9 A. (Ms. Hamilton) I do not have an estimated  
10 completion at this time because it's ultimately up to a  
11 lot of various factors, and largely reliant on the Bureau  
12 of Land Management, and they have a very hefty workload  
13 right now. So we're working with the agencies to try to  
14 advance that as much as we can, but we are -- we are in  
15 the process.

16 Q. Thank you. And I just wanted to clarify that  
17 you mentioned the NEPA process will also include  
18 additional review of the gen-ties as well; is that  
19 correct?

20 A. (Ms. Hamilton) Yes. Even though the gen-tie  
21 for Pinyon, for example, is almost entirely on private  
22 lands the BLM is considering approval of the solar  
23 project as the gen-tie connected action to that, and  
24 therefore they are also reviewing the gen-tie despite the  
25 fact that it is being constructed almost entirely on

1 private lands.

2 And then for Caballero obviously there is a  
3 large portion that is on private land in the shared  
4 corridor, but the portion that is within federal land on  
5 the Pinyon Solar Project that is absolutely under review  
6 by the BLM as well.

7 Q. Thank you, Ms. Hamilton.

8 Is there anything else you wish to add to your  
9 testimony at this time?

10 A. (Ms. Hamilton) There is not.

11 Q. Okay.

12 CHMN STAFFORD: I have a question about the  
13 letter from Staff and the responsive data requests. It  
14 mentions that SRP mentioned a potential overload if the  
15 battery charge is 300 megawatts from the grid under  
16 certain conditions.

17 Can you elaborate on what concerns SRP had with  
18 that?

19 MR. TAN: I can do that. Well, SRP's concern  
20 was pretty much in the event of what's called a stuck  
21 breaker outage. What that means is if one of the circuit  
22 breakers in a certain substation -- a specific substation  
23 fails to operate, then that would cause an overload in  
24 the event of charging.

25 So -- which is -- it's a fairly rare outage, but

1 they do plan for worst-case scenarios.

2 CHMN STAFFORD: And that was for charging, not  
3 discharging?

4 MR. TAN: That was charging only. Yeah, not a  
5 discharging issue. So, you know, we have -- we and the  
6 offtaker, whoever is utilizing the energy of the project,  
7 has the ability to control when their -- or at least  
8 influence when they want to charge from the grid. So we  
9 would just work with them to ensure in those conditions  
10 where it's of concern there would not be grid charging.  
11 And whole goal of charging -- battery charging is to do  
12 it at a time that's convenient for the grid.

13 CHMN STAFFORD: Right. So you're saying grid  
14 charging, not from the attached solar project, then?

15 MR. TAN: Correct. Grid charging only.

16 CHMN STAFFORD: Okay. All right. And then now  
17 for the Caballero, that's -- that's -- I know this is  
18 talking about -- yeah, Caballero -- that's how many --  
19 it's 300 megawatts -- 300 megawatts of storage?

20 MR. TAN: Yeah. I think this one -- this should  
21 be 200. So I wrote 300 here, I think, and that it should  
22 be 200.

23 CHMN STAFFORD: Okay. So it's a 200-megawatt  
24 battery and a 200-megawatt solar array; correct?

25 MR. TAN: Correct, yes.

1 CHMN STAFFORD: Now, would there be a situation  
2 where you would discharge both from the solar at the same  
3 time that the battery's discharging?

4 MR. TAN: Not in the full amount. So we --  
5 there's 200 megawatts of each, but we do limit the  
6 project size to 200 megawatts net. So if -- if we're  
7 outputting 200 megawatts of solar, we will not do any  
8 battery.

9 CHMN STAFFORD: Okay.

10 MR. TAN: But if we were outputting the  
11 100 megawatts of solar, we can out put up to 100  
12 megawatts of battery, so the combined total is 200, and  
13 it remains below that at all times.

14 CHMN STAFFORD: Okay. So you won't be  
15 discharging from that facility by more than 200  
16 megawatts?

17 MR. TAN: Yeah, in total, correct.

18 CHMN STAFFORD: Okay.

19 MR. TAN: That's -- that's -- and that's how it  
20 was studied, and that's required in our interconnection  
21 agreements as well, so it's a hard limit.

22 CHMN STAFFORD: So it's even though it's  
23 theoretically possible it could discharge 400 at one  
24 time, that will not happen?

25 MR. TAN: Correct.

1 CHMN STAFFORD: Okay. Thank you.

2 MEMBER LITTLE: Mr. Chairman?

3 CHMN STAFFORD: Oh, is this Member Little?

4 MEMBER LITTLE: Yes.

5 CHMN STAFFORD: All right. Go ahead.

6 MEMBER LITTLE: I have some questions if it's  
7 appropriate to ask them now. A couple of them are as  
8 kind of follow-up to what you asked about the Staff  
9 report. And first I'd like to thank the Applicant for  
10 providing us with data requests and their responses. I  
11 find that very helpful.

12 I am wondering -- and perhaps this is something  
13 that the Committee can be thinking about and the  
14 Applicant also. I'm wondering whether we need to do  
15 anything to assure ourselves and the public that the  
16 battery -- the battery -- potential battery charging  
17 overload situation cannot occur. Perhaps maybe something  
18 along the lines that ensures that the, I don't know,  
19 operating conditions will be certified such that that  
20 won't occur maybe in their generator interconnection  
21 agreement or something. Anyway, whether or not we need  
22 to do that or whether we can just take everybody's word  
23 for it that they're going to operate in a safe manner.

24 The other question -- another question that I  
25 have is what happens if SRP doesn't approve the

1 interconnection agreement? What happens with the  
2 transmission lines? Will we only have part of that, you  
3 know, the part that is from Pinal?

4 MR. TAN: Right.

5 MEMBER LITTLE: Not the 500kV line? What  
6 would --

7 MR. TAN: Yeah, if the interconnection  
8 agreements are not approved, I mean, that's -- at least  
9 at this stage these are reliant on that approval. But we  
10 also don't see any situation where they're not approved  
11 as long as we've gone through the interconnection study  
12 process and negotiated everything with the utility  
13 that -- it's not typical for them to reject any of these.

14 But, correct, these projects will each need  
15 their own interconnection agreements. So the Caballero  
16 portion would need the interconnection agreement with  
17 Salt River Project.

18 MEMBER LITTLE: Okay. Thank you.

19 And one other question, and that is do you --  
20 are you aware of whether your project was included in TEP  
21 and SRP's ten-year plans prior to 2023?

22 MR. TAN: I'm not. I'm not aware.

23 MEMBER LITTLE: I have a real concern that the  
24 projects -- that many of the projects that we're seeing  
25 submit ten-year plans for the very first time in the same



1 year that they put in their applications. And the whole  
2 intent of the BTA and the 10-year plan process is that at  
3 the time that a project is conceived the 10-year plan  
4 filings begin.

5 And I will note that the first 10-year filing --  
6 10-year plan filing that was submitted by the Applicant  
7 was this year. And yet it appears that this project was  
8 being considered and proposed to the utilities prior to  
9 that.

10 And that's all I have right now. Thank you,  
11 Mr. Chairman.

12 CHMN STAFFORD: Thank you, Member Little.

13 MEMBER FONTES: Mr. Chairman?

14 CHMN STAFFORD: Yes, Member Fontes.

15 MEMBER FONTES: Two questions. You don't have  
16 an offtake agreement. In the event that you have a  
17 tolling agreement and you don't have operational control  
18 of that battery and the asset, what's the mitigation plan  
19 and how do you present that?

20 MR. TAN: Well, I mean, the plan is to just  
21 proceed with these at this time only if we do have an  
22 offtake agreement. So that's -- that's really the  
23 whole --

24 MEMBER FONTES: So back to the battery issue.

25 MR. TAN: Yeah.

1 MEMBER FONTES: If you don't have operational  
2 control, you have to readdress it with the Committee?

3 MR. TAN: I would think so. But the -- it's  
4 whether we have operational control or the utility would  
5 have operational control. All the parties would be  
6 operating in a way to ensure none of these, you know,  
7 concerns were to happen.

8 And even -- it's not just our -- even if when  
9 it's us, it's not just our operational control. The  
10 utility is the one monitoring their grid. So they would  
11 be the one telling -- even if we're saying we want to  
12 charge now, they would be monitoring and saying it's not  
13 safe so you can't charge.

14 MEMBER FONTES: So the operational control will  
15 be back on the utility under a tolling agreement?

16 THE COURT REPORTER: I'm sorry?

17 CHMN STAFFORD: Into the mic.

18 MEMBER FONTES: So the operational control would  
19 be back to the utility for concern on the battery?

20 MR. TAN: Well, yes. I mean, it's always a -- a  
21 combination of both. Both of us need to operate it. But  
22 they -- and they need our approval to -- sorry. They  
23 need to approve any -- any sort of charge or anything as  
24 well.

25 MEMBER FONTES: Thank you.

1 Second question. On the Pinal West substation.

2 MR. TAN: Yes.

3 MEMBER FONTES: Can you characterize the access  
4 roads around that substation because there's like four  
5 different utilities. And while I know SRP has it and  
6 you're getting into NEPA, and we're getting overlapped  
7 with CEQA. You have Western Area Power Administration,  
8 you have Tucson Electric Power. That is a pretty  
9 important substation to this state.

10 Can you characterize how you looked at that in  
11 terms of rights-of-way, access, and your environmental  
12 work today?

13 Because your gen-tie lines are going over  
14 various access roads to different utilities to get into  
15 Pinal West.

16 MR. TAN: Right.

17 MR. MORETZ: Can you clarify? Are you asking  
18 from a -- from an our access perspective?

19 MEMBER FONTES: How did your studies look at  
20 that in assessing, because, as I said, a substation may  
21 be physically owned and operated, but there's other  
22 utilities who have access roads for fire, for operational  
23 control, because they all utilize the same substation in  
24 the State, especially Pinal West and Pinal Central.

25 So in your coordination did you coordinate with

1 the other utilities?

2 MR. MORETZ: We coordinated with other utilities  
3 to the extent that the lines themselves actually needed  
4 access. So as we looked for the line routes into the  
5 substation, we worked with a number of different land  
6 owners.

7 And, as you mentioned, it's a very congested  
8 area. And the routes that we have today are based on  
9 feedback not only from utilities but landowners in the  
10 area and an attempt to navigate existing lines into the  
11 substation.

12 MEMBER FONTES: Okay. Now, in doing so did you  
13 coordinate that with the interconnect, because, again,  
14 there's a lot of interconnect that's going on parallel to  
15 this, and then you have access roads, and that's always a  
16 dynamic picture?

17 To what extent was there cross-collaboration  
18 from the environmental work with the interconnect as you  
19 get into the facilities use charge here, or, I'm sorry,  
20 the facilities studies, or is that something that's  
21 ongoing right now?

22 MR. TAN: So that -- and that part -- that's  
23 usually -- that discussion happens in more detail with  
24 the utilities after the executed interconnection  
25 agreement. And once we get into detailed engineering

1 and -- which would have -- their engineers but also their  
2 permitting team, their land team, that usually occurs at  
3 that stage more so than at the facility studies stage.

4 MEMBER FONTES: I'm most concerned on Caballero  
5 because that's a pretty important piece of property in  
6 terms of the electrical utility grid here.

7 MR. TAN: Right.

8 MEMBER FONTES: So you are -- I would say have  
9 you done that yet, or have they got to that point?  
10 Because I think you're at that stage.

11 MR. TAN: Right. So they're still going through  
12 the facility study now, so we haven't gotten that  
13 feedback yet. I mean, they're aware of the project, and  
14 they know that any of these such concerns would be on  
15 their side as well.

16 But we will get more feedback during the  
17 facility study, and then even more feedback after  
18 executing the interconnection agreement and get into the  
19 detailed design discussions with them.

20 MEMBER FONTES: Thank you.

21 MR. TAN: You're welcome.

22 BY MR. MOYES:

23 Q. Mr. Tan, just a couple of follow-up questions.  
24 Is it fair to say that a utility will not execute an LGIA  
25 or a large generator in a connection agreement until all

1 of these other access concerns have been satisfied to the  
2 utility's satisfaction?

3 A. (Mr. Tan) For -- that stage. If they're  
4 satisfied to that stage, they would. But we could  
5 execute an interconnection agreement, but then continue  
6 to the more detailed discussions after that point.

7 So they may not, like, just stop it, but they  
8 need to get it to the point they're comfortable with the  
9 interconnection agreement, which, I mean, so far they,  
10 have and then we'll go into more detail afterwards.

11 Q. And with regards to the Staff data requests and  
12 the letter that was sent in response to the Chairman's  
13 letter, is there any concern on behalf of Avantus that  
14 you would not be able to meet any of the mitigation  
15 requirements or protective requirements mentioned in  
16 those letters?

17 A. (Mr. Tan) At this time we have no concerns  
18 about that.

19 Q. In fact, it would behoove you to only operate  
20 those facilities under the proper conditions that those  
21 agreements require; correct? Otherwise, you'd be  
22 violating the agreements and --

23 A. (Mr. Tan) That's correct. And if we violate  
24 the agreements, they -- and the agreements can be  
25 terminated, so it is in everyone's best interest to do

1 so.

2 Q. And is it fair to say also that neither of these  
3 projects for gen-tie lines will be constructed if there  
4 is not an offtake agreement or what some people refer to  
5 as a power purchase agreement or PPA?

6 A. (Mr. Moretz) That's correct.

7 Q. Thank you.

8 MR. MOYES: Mr. Chairman, I have no further  
9 questions for the Avantus panel, but we're happy to  
10 entertain any additional questions from the Committee at  
11 this time if there are.

12 MEMBER LITTLE: Mr. Chairman, I do have one more  
13 question.

14 CHMN STAFFORD: Yes, Member Little.

15 MEMBER LITTLE: I'm just curious both for the  
16 project -- the solar plants itself and also for the  
17 transmission line, is the -- is the -- is the project  
18 leased or purchased from the private landowners?

19 MR. MORETZ: For the portion not on BLM land we  
20 do actually have a mix of purchase and lease. There's  
21 more than one landowner, so we have multiple agreements.

22 MEMBER LITTLE: Thank you.

23 CHMN STAFFORD: I have a couple quick questions.

24 So the Applicant is 315PC 8ME LLC; correct? And  
25 it will own both lines?

1 MR. MOYES: Mr. Moretz, you can answer that.

2 MR. MORETZ: The Applicant would own -- the  
3 Applicant would not own the lines. The Applicant would  
4 own the environmental permits. The projects themselves  
5 are there's a legal entity for both the Pinyon and the  
6 Caballero projects that are separate from this Applicant.

7 CHMN STAFFORD: All right. Now, are those the  
8 two identified in Section 3 of the application as the  
9 entities that filed the 10-year plans?

10 MR. MORETZ: That is correct.

11 CHMN STAFFORD: Okay. So that would be 265BH  
12 8ME LLC, that would be the owner of the Pinyon tie-line.  
13 And then the Caballero gen-tie would be owned by 307PW  
14 8ME LLC?

15 MR. MORETZ: That's correct.

16 CHMN STAFFORD: So what is -- so the Applicant's  
17 role would just be to own the environmental permits and  
18 not the actual lines themselves?

19 MR. MORETZ: The Applicant would own the lines  
20 until such time that the projects themselves had offtake  
21 agreements. At which time the environmental permit would  
22 be assigned to each of the project entities.

23 CHMN STAFFORD: All right. So now do the --  
24 those two entities, do they own the associated solar and  
25 storage facilities as well?



1 MR. MORETZ: They do.

2 CHMN STAFFORD: Okay. And so 315PC will only  
3 own the lines until such time as the two projects have  
4 oftakers then? That's my understanding is correct?

5 MR. MORETZ: That's correct.

6 CHMN STAFFORD: Okay.

7 MEMBER LITTLE: Mr. Chairman.

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: I'm confused. Who will own the  
10 lines after that?

11 CHMN STAFFORD: My understanding is that the  
12 Pinyon line would be owned by 265BH entity, and the  
13 Caballero project and line would be owned be the 307PW  
14 entity. Is that correct, Mr. Moretz?

15 MR. MORETZ: That is correct.

16 CHMN STAFFORD: Okay.

17 MEMBER LITTLE: Okay.

18 MR. MOYES: If I may shed some light on the  
19 reasoning for that with some additional questions for our  
20 witnesses if that might be helpful.

21 CHMN STAFFORD: Thank you.

22 BY MR. MOYES:

23 Q. Mr. Moretz, is it typical for projects like this  
24 after being permitted to be assigned, sold, transferred  
25 to other entities other than the ones who actually

1 permitted it or obtained the initial land use rights?

2 A. (Mr. Moretz) It is common.

3 Q. Would you say that's the majority of the  
4 practice for such projects?

5 A. (Mr. Moretz) I would say that a large portion,  
6 yes.

7 Q. And so is there a high likelihood that one or  
8 other or both of these projects at some point may be  
9 transferred and assigned to a different entity, an  
10 offtaking entity or some other construction entity?

11 A. (Mr. Moretz) Yes, that is correct.

12 Q. And naturally, of course, the permits associated  
13 with those would then be transferred and be the  
14 responsibility of the new entity as well?

15 A. (Mr. Moretz) That's right.

16 Q. So none of the conditions that are required  
17 under this or any of the other ancillary permits that  
18 Ms. Hamilton mentioned would be null, void or escapable  
19 by means of transferring to another entity any of these  
20 project components?

21 A. (Mr. Moretz) That's correct. And it's very  
22 common and as another entity acquires these they go  
23 through a diligence process, and they're aware of any of  
24 those requirements or stipulations well in advance of any  
25 such assignment.

1 Q. So with these two different projects  
2 connecting -- although connecting in the same Pinal West  
3 Substation, they're connecting to two different utilities  
4 who have different requirements; correct?

5 A. (Mr. Moretz) That's correct.

6 Q. Is it fair to say it would be extremely  
7 difficult to maintain the same ownership between two  
8 different projects that are connecting to two utilities?

9 A. (Mr. Moretz) Pretty unheard of.

10 Q. Is there a high likelihood that they will be  
11 conducted on different time lines?

12 A. (Mr. Moretz) They very likely will be.

13 Q. Okay. And hence the need for your requesting  
14 two separate CECs in this process; correct?

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

16 MR. MOYES: Thank you.

17 MEMBER FONTES: Mr. Chairman, question.

18 CHMN STAFFORD: Yes, Member Fontes.

19 MEMBER FONTES: Following up on Member Little's  
20 question there on the rights-of-way and the license to  
21 lease of the right-of-way, is that the same entity that's  
22 being applied here for these permits that owns the land?

23 MR. MORETZ: The rights-of-way that are being  
24 acquired from private landowners are the same entities as  
25 the two projects. So 265BH and 307PW own the

1 rights-of-way that they've gotten from private  
2 landowners.

3 MEMBER FONTES: Thank you.

4 CHMN STAFFORD: No other questions from Members?  
5 All right. Mr. Moyes, please proceed.

6 MR. MOYES: Thank you, Mr. Chairman.

7 With your permission then we will excuse  
8 Mr. Moretz and Mr. Tan from the Avantus panel, if you  
9 will, and call Mr. Lindenlaub. Ms. Hamilton will also be  
10 assisting Mr. Lindenlaub. And I will introduce  
11 Mr. Lindenlaub, and then we will discuss the tour and the  
12 virtual tour.

13 CHMN STAFFORD: You'll give us the virtual tour  
14 before we discuss the tour; right?

15 MR. MOYES: Yes.

16 CHMN STAFFORD: Okay.

17 MR. MOYES: By way of introduction first,  
18 Mr. Lindenlaub, would you please state your full name.

19 CHMN STAFFORD: Let's swear him in first.

20 MR. MOYES: Oh, I'm sorry. We forgot to do  
21 that. You're correct.

22 MR. LINDENLAUB: Affirmation, sir.

23 CHMN STAFFORD: Do you affirm the testimony you  
24 will give in this matter will be the truth, the whole  
25 truth, and nothing but the truth taking into

1 consideration the penalties for perjury in the State of  
2 Arizona?

3 MR. LINDENLAUB: I do.

4 CHMN STAFFORD: Please begin, Mr. Moyes.

5  
6 BRIAN LINDENLAUB and TRACY HAMILTON,  
7 called as witnesses as a panel on behalf of Applicant,  
8 having been previously affirmed or sworn by the Chairman  
9 to speak the truth and nothing but the truth, were  
10 examined and testified as follows:

11

12 DIRECT EXAMINATION

13 BY MR. MOYES:

14 Q. Mr. Lindenlaub, I'll repeat the question.  
15 Please state your name and business address for the  
16 record.

17 A. (Mr. Lindenlaub) My name is Brian Lindenlaub.  
18 The address is 4001 East Paradise Falls Drive, Tucson.

19 Q. And who do you work for, Mr. Lindenlaub, and  
20 what is your job title?

21 A. (Mr. Lindenlaub) I work for WestLand Resources,  
22 and I'm a Vice President in the environmental services.

23 Q. And do you have previous experience testifying  
24 before this Committee?

25 A. (Mr. Lindenlaub) I do.

1 Q. Approximately how many cases have you testified  
2 before?

3 A. (Mr. Lindenlaub) A half dozen or more at this  
4 point.

5 Q. Thank you. Can you please describe your  
6 educational background and experience?

7 A. (Mr. Lindenlaub) Yes. I have Bachelor's  
8 degrees in geological engineering and fisheries and  
9 wildlife. My experience since 1994 has been with  
10 environmental permitting, federal permits as well as  
11 state and local permits in Arizona.

12 Q. Thank you.

13 MR. MOYES: Mr. Chairman, we submitted as part  
14 of our pre-filed exhibits as your request a route tour  
15 and itinerary map, which was submitted as  
16 Exhibit No. BH-14. I think after you see the virtual  
17 tour that we are about to present you will understand why  
18 we highly recommend not using that tour itinerary and  
19 taking a physical tour due to the remote location of  
20 these project sites.

21 But we can talk about the actual itinerary  
22 afterwards.

23 So if we're able to pull up the tour at this  
24 time, I will let Mr. Lindenlaub take it away.

25 MR. LINDENLAUB: Okay. Thank you. So we -- if

1 you keep in mind the ubiquitous figure that we've all  
2 been looking at all afternoon, we start on the west end  
3 of the proposed alignment at the proposed Caballero  
4 substation. And we're traveling to the east. You can  
5 see the Booth Hills in the mid ground.

6 The 500kV Caballero line is going to be shown in  
7 red. Again, this is at the southernmost end of the  
8 proposed Pinyon Solar Project.

9 At the Booth Hills the proposed line takes a  
10 route around to the north, again, following the southern  
11 boundary of the Pinyon Solar Project. Here we see the  
12 proposed Pinyon substation. And we're going to start the  
13 Pinyon gen-tie here shown in purple. It travels  
14 approximately .2-miles to the east before it joins the  
15 corridor with the Caballero gen-tie line. And from this  
16 point on they share a common corridor, that 200-foot  
17 corridor that was described previously.

18 And, again, we're generally continuing to the  
19 east through unincorporated Maricopa County.

20 CHMN STAFFORD: Both lines will fit inside a  
21 200-foot right-of-way; correct?

22 MR. LINDENLAUB: That's correct.

23 CHMN STAFFORD: So how far apart are the poles  
24 from each other, from each line?

25 MR. TAN: Sorry.

1 MR. LINDENLAUB: I'm not sure about that.

2 MR. MOYES: Is your microphone light green?

3 MR. TAN: Yeah, the light's green.

4 MR. MOYES: Maybe pull it just a little bit  
5 closer.

6 MR. TAN: I can speak up.

7 CHMN STAFFORD: I'm still not hearing it. The  
8 mic's not picking you up.

9 MR. TAN: Yeah. I'm not sure why it is not  
10 working.

11 Is that working?

12 Okay. So the distance -- well, I have the  
13 distance between the two -- the actual wires from the two  
14 circuits, that's 113 feet. In terms of the poles, I will  
15 get that answer for you guys.

16 CHMN STAFFORD: So it's 113 feet between the  
17 conductors, then?

18 MR. TAN: The conductors.

19 CHMN STAFFORD: So the separate lines?

20 MR. TAN: From each set, yeah.

21 CHMN STAFFORD: And that's just -- does that  
22 measure just distance and not change in elevation because  
23 the one line is taller than the other, correct, or is it  
24 both?

25 MR. TAN: I think it's just the distance. And,



1 you know, it's primarily from just safety standard design  
2 and OSHA standards making sure you can do line on one  
3 work -- or work on one line safely without being  
4 negatively impacted by the other line.

5 CHMN STAFFORD: Okay. Great. Perfect. Thank  
6 you.

7 MEMBER LITTLE: Mr. Chairman.

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: I have a question about that  
10 zigzag that we just saw as opposed to a more straighter  
11 route into the substation. What's the reason for that?

12 MR. MORETZ: The gen-tie route is a function  
13 of -- well, any gen-tie route is a function of a number  
14 of things, whether it be environmental constraints or  
15 whatever.

16 In this case, there are lots of different  
17 private landowners out there. Some landowners were more  
18 open to rights-of-way easements than others. So this  
19 route does avoid some known environmental features but  
20 also is a function of landowners that were willing to  
21 enter into rights-of-way agreements.

22 MEMBER LITTLE: Which leads me to my next  
23 question. I sort of assumed that would be case. I  
24 recognize the route around the end of the hills there,  
25 but that little zigzag, did you get any feedback from any

1 of the landowners who maybe did not want to grant  
2 right-of-way but it looks like the line will be right  
3 adjacent to their property? Did you get any feedback  
4 from any of them?

5 MR. MORETZ: Brian, are you able to zoom out?  
6 I'm not exactly sure where we are on the zigzag.

7 MR. LINDENLAUB: Yeah. Let me pull up that  
8 other figure.

9 MEMBER LITTLE: I'm talking about the -- I'm  
10 sorry, I'm not making myself clear.

11 The little -- the thing that looks like a chair  
12 in the -- where both lines will be in the right-of-way.

13 MR. MORETZ: So we are not the only developer  
14 out here. There are other solar companies looking at  
15 projects in this area. And we worked with another  
16 developer who that developer is granting us a  
17 right-of-way, and part of the zigzag is to avoid an  
18 impact on their project.

19 MEMBER LITTLE: Thank you.

20 MEMBER FONTES: Mr. Chairman, question.

21 CHMN STAFFORD: Member Fontes.

22 MEMBER FONTES: Just to follow up on yours, can  
23 you characterize when you get back to us, Patrick, on the  
24 blowout ranges for each of those two circuits and how  
25 they can be accommodated in that -- the width of the

1 right-of-way there too.

2 MR. TAN: Yes, I'll get that to you.

3 MR. MOYES: Are there any other additional  
4 questions from the Committee before we resume the tour?

5 CHMN STAFFORD: Please proceed.

6 MR. MOYES: Go ahead, Brian.

7 MR. LINDENLAUB: Thank you. We're getting very  
8 close to the end here as you can see. We're crossing  
9 from Maricopa into Pinal County. And these are the  
10 respective lines. There's the boundary at Black Mountain  
11 Road. And these are the respective lines tieing into the  
12 substation, the Pinal West Substation.

13 BY MR. MOYES:

14 Q. Mr. Lindenlaub, is accurate to say that at this  
15 time there aren't any easily accessible roads that would  
16 allow convenient viewing of the gen-tie routes?

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

18 Q. I presume your field biologists have been out  
19 there. I'm guessing they had to use 4 X 4 vehicles to --

20 A. (Mr. Lindenlaub) That's correct. There's a lot  
21 of walking to access a lot of the alignment. That's  
22 correct.

23 Q. So would you say it would be very difficult to  
24 conduct an actual in-person tour today or tomorrow of  
25 this site?

1 A. (Mr. Lindenlaub) It would be challenging.

2 MR. MOYES: Would any of the Committee Members  
3 benefit from viewing the virtual tour one more time, or  
4 are there any additional questions on that?

5 CHMN STAFFORD: Members online, did you hear  
6 that question?

7 MEMBER LITTLE: I have no further questions.  
8 Thank you.

9 MEMBER FRENCH: I have no questions.

10 CHMN STAFFORD: With no -- I guess -- I guess  
11 the Committee should discuss probably whether we want to  
12 have an actual tour or not. I'm inclined, due to the  
13 remoteness of it and the thoroughness of the virtual  
14 presentation, the virtual tour, I don't think a physical  
15 tour is necessary, but I will -- like to hear from my  
16 colleagues and what their thoughts are.

17 MEMBER DRAGO: Mr. Chairman, I'd make a motion  
18 to not have a physical tour, but this is satisfactory.

19 CHMN STAFFORD: Thank you, Member Drago.

20 MEMBER MERCER: I second.

21 CHMN STAFFORD: All in favor say aye.

22 (A chorus of "ayes.")

23 CHMN STAFFORD: Opposed?

24 (No response.)

25 CHMN STAFFORD: There will be no tour. Thank

1 you.

2 Please proceed, Mr. Moyes.

3 MR. MOYES: Thank you, Mr. Chairman.

4 Then I see no need to admit BH-14 at this point,  
5 which would have been the alternative tour itinerary.

6 With the tour complete then we will move to the  
7 remainder of Mr. Lindenlaub's environmental testimony.

8 BY MR. MOYES:

9 Q. Mr. Lindenlaub, can you please describe for the  
10 Committee your particular role for the Booth Hills  
11 Transmission Project?

12 A. (Mr. Lindenlaub) Yes. I served as the  
13 principal in charge of the project preparation.

14 Q. And can you give us a brief overview of the  
15 topics that you plan to cover today in your oral  
16 testimony?

17 A. (Mr. Lindenlaub) I can. We're going to discuss  
18 public engagement next. And then following that, we'll  
19 discuss the various environmental resources that were  
20 evaluated, including land use, biological resources,  
21 visual and cultural resources, recreation, and noise and  
22 interference.

23 Q. Please describe with your description of the  
24 public involvement process, Mr. Lindenlaub.

25 A. (Mr. Lindenlaub) Certainly. In a broad

1 overview we -- as is typical for these projects we had a  
2 regional -- we did a regional and community assessment,  
3 developed a project website to maintain the information  
4 that the public could access, developed a dedicated  
5 project e-mail and phone number, again, to allow the  
6 public to provide comment.

7 We completed a newsletter mailing, in fact, two  
8 newsletter mailings to a surrounding area. We did an  
9 in-person open house, and then made sure that the  
10 notification of the CEC hearing was distributed  
11 appropriately and also did some social media advertising.

12 MR. MOYES: Mr. Chairman, in your packet of  
13 pre-submitted exhibits starting with Exhibit BH-8.

14 BY MR. MOYES:

15 Q. Mr. Lindenlaub, BH-8 is described as an  
16 affidavit of publication of the notice of hearing.

17 Have you had a chance to look at that exhibit?

18 A. (Mr. Lindenlaub) I have.

19 Q. Is that an accurate description of the newspaper  
20 publications that were conducted on behalf of the  
21 Applicant?

22 A. (Mr. Lindenlaub) It is.

23 Q. Mr. Lindenlaub, can you turn to BH-9, if you can  
24 take the binder?

25 A. (Mr. Lindenlaub) Certainly. I'm there.

1 Q. And can you describe what this actual exhibit  
2 contains?

3 A. (Mr. Lindenlaub) Yes. It's a summary of our  
4 public outreach efforts for the Booth Hills Project in  
5 support of the CEC.

6 Q. And that was a list of all inquiries that were  
7 received on the various forms for public outreach as well  
8 as the Committee's -- or the Applicant's response; is  
9 that correct?

10 A. (Mr. Lindenlaub) At the time of submittal,  
11 correct.

12 Q. Okay. And is it correct that the company has  
13 continued to respond as they've been able between the  
14 time that these exhibits were filed and the date of the  
15 hearing today to your understanding?

16 A. (Mr. Lindenlaub) That's correct.

17 Q. Okay. Would you please summarize for the  
18 Committee the nature of the comments that were received.

19 A. (Mr. Lindenlaub) Certainly. We had the  
20 expected communication from the Arizona Game and Fish  
21 Department.

22 In addition, the comments from the public fell  
23 into broad categories. The first one being general  
24 interest given property ownership in the area. The  
25 second being questions about the nature of the solar

1 project and the sourcing of the materials.

2 And then a final comment was received regarding  
3 access to recreation shooting out in the BLM.

4 Q. Mr. Lindenlaub, to the best of your knowledge  
5 were all of those inquiries responded to by the  
6 Applicant?

7 A. (Mr. Lindenlaub) To the best of my knowledge,  
8 that's correct, or are in the process of being responded  
9 to.

10 Q. Okay. And I presume that the folks by nature of  
11 having reached out to the Applicant for whatever -- or  
12 from whatever form of notice they received were also  
13 presented with information on how to attend or make  
14 additional comments in these proceedings; is that  
15 correct?

16 A. (Mr. Lindenlaub) That's what I understand,  
17 correct.

18 Q. Okay. Is there anything else you wish to say  
19 about the public outreach efforts or Exhibits BH-8 or 9?

20 A. (Mr. Lindenlaub) No, thank you.

21 MR. MOYES: Mr. Chairman, I would move to admit  
22 BH-8 and BH-9 into evidence.

23 MEMBER LITTLE: Mr. Chairman?

24 CHMN STAFFORD: Yes, Member Little.

25 MEMBER LITTLE: Should I ask my questions now,



1 or do you want to finish?

2 CHMN STAFFORD: Let's go ahead.

3 MEMBER LITTLE: Okay. I'm not real sure on -- I  
4 reviewed the e-mails that were a part of the Application  
5 itself. And I'm not real sure which ones of those were  
6 included in Table 1 of BH-9.

7 But I did have some questions about the ones  
8 that were included in the application, and maybe they're  
9 also summarized in that exhibit.

10 But the first question is a question from a  
11 gentleman named Buddy, and it appears that the team  
12 responded to his call, but then it also says that  
13 Mr. Cook will be following up with Mr. Venture, who is  
14 Buddy, I guess, with the additional details. I'm just  
15 curious whether or not that was done.

16 MR. MOYES: Tracy, will you please describe for  
17 the Committee who Mr. Cook is who's referenced in that  
18 comment.

19 MS. HAMILTON: Yes. Mr. Cook is our Vice  
20 President of Land Development. He's overseeing all of  
21 the landowner coordination for this project, and I can  
22 confirm that he did follow up with every person that  
23 inquired. And there were a lot of landowners that were  
24 interested in discussing selling their land or just  
25 interested in how this could benefit them.

1 MEMBER LITTLE: Thank you.

2 And I did have one other question about one of  
3 the e-mails that was in the Application itself, and that  
4 was a question from Mr. Michael Shoen, and he gave the  
5 coordinates of his properties, and the response from the  
6 Applicant was the coordinates of the project itself.

7 And I'm just curious -- those coordinates didn't  
8 mean anything to me. I'm just wondering how close that  
9 gentleman's property is to the project. I'll give you a  
10 minute to find that e-mail.

11 MR. MOYES: Member Little, can you direct us to  
12 the specific place in the Application that you're  
13 referencing the e-mail.

14 MEMBER LITTLE: It is in Exhibit J. And there  
15 were some copies of e-mail correspondence that happened.

16 CHMN STAFFORD: It's about five pages after the  
17 blue sheet.

18 MEMBER LITTLE: Yeah.

19 MR. MOYES: I'm sorry, did you say Exhibit --

20 CHMN STAFFORD: J.

21 MEMBER LITTLE: J.

22 MR. MOYES: I misunderstood Exhibit A. My  
23 apologies.

24 MS. HAMILTON: I have the e-mail. I can look it  
25 up, but from what I recall the individual stated that it

1 was approximately three-quarters of a mile from his  
2 property. It was further. But if you'd like, I can just  
3 pull the coordinates really quick and do a comparison and  
4 give you an exact number.

5 MEMBER LITTLE: He did not follow up with any  
6 concerns?

7 MS. HAMILTON: No. No, he did not.

8 MEMBER LITTLE: Okay.

9 MS. HAMILTON: No. We notified landowners  
10 within a two-mile radius as well as within a one-mile  
11 radius of the area of Mobile. So a lot of landowners  
12 were notified where the project was actually pretty far  
13 from their property.

14 MEMBER LITTLE: Well, as long as there was he  
15 did not express any concerns about it, that's all I was  
16 trying to --

17 MS. HAMILTON: Understood.

18 MEMBER LITTLE: Thank you.

19 MS. HAMILTON: No, he did not follow up. Thank  
20 you.

21 MR. MOYES: Ms. Hamilton or Mr. Lindenlaub, are  
22 you aware of any public members who responded negatively  
23 or otherwise objected to the projects that we are here  
24 today requesting permits for, the gen-tie projects?

25 MR. LINDENLAUB: I'm not aware of anyone, no.

1 MR. MOYES: Same answer for you, Ms. Hamilton?

2 MS. HAMILTON: Yes. I'm not aware of any.

3 MR. MOYES: Thank you.

4 CHMN STAFFORD: All right. You would ask that  
5 Exhibits BH-8 and 9 be admitted?

6 MR. MOYES: That's correct.

7 CHMN STAFFORD: All right. Those are admitted.  
8 BH-8 and BH-9 are admitted.

9 (Exhibits BH-8 and BH-9 were admitted.)

10 BY MR. MOYES:

11 Q. Before we move on from the public outreach along  
12 with the notice requirements, Mr. Lindenlaub, if you  
13 would look at Exhibit BH-10.

14 A. (Mr. Lindenlaub) I'm there.

15 Q. Could you describe for the Committee what that  
16 represents to your understanding?

17 A. (Mr. Lindenlaub) This is proof of placement of  
18 the pre-filing transcripts at the local library, the  
19 Maricopa library.

20 Q. And is it accurate to say that the court  
21 reporters per the procedural order of the Chairman  
22 submitted the transcripts to the public locations  
23 directed therein?

24 A. (Mr. Lindenlaub) Yes.

25 MR. MOYES: Okay. Mr. Chairman, we would also

1 move to admit Exhibit BH-10 if there aren't further  
2 questions.

3 CHMN STAFFORD: BH-10 is admitted.

4 (Exhibit BH-10 was admitted.)

5 BY MR. MOYES:

6 Q. Mr. Lindenlaub, is it your understanding as part  
7 of the Procedural Order from the Chairman and as is  
8 common for any of these CEC matters, the applicant is  
9 required to provide notice to all affected relevant  
10 jurisdictions; is that correct?

11 A. (Mr. Lindenlaub) That's what I understand.  
12 That's correct.

13 Q. Is it your testimony that the applicant in this  
14 case has done so and provided notice to those relevant  
15 jurisdictions for the Booth Hills Transmission Project?

16 A. (Mr. Lindenlaub) That's correct.

17 Q. And those jurisdictions would be the BLM, the  
18 county of Maricopa, and the county of Pinal; is that  
19 correct?

20 A. (Mr. Lindenlaub) Correct.

21 Q. Looking to BH -- Exhibit BH-11. Mr. Lindenlaub,  
22 would you support the conclusion that Exhibit BH-11 is an  
23 accurate copy of the letters and notice that were sent to  
24 those jurisdictions?

25 A. (Mr. Lindenlaub) Yes.

1 MR. MOYES: Unless there's further questions, we  
2 would also move for admission BH-11, Mr. Chairman.

3 CHMN STAFFORD: Exhibit BH-11 is admitted.

4 (Exhibit BH-11 was admitted.)

5 CHMN STAFFORD: Would the court reporter like a  
6 break at this time?

7 THE COURT REPORTER: I never say no to a break.

8 CHMN STAFFORD: All right. It seems like we've  
9 reached a good stopping place. Let's take a 10-minute  
10 recess.

11 (Recess from 2:41 p.m. to 3:03 p.m.)

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

13 Mr. Moyes, you're going to continue your direct  
14 on Mr. Lindenlaub?

15 MR. MOYES: Yes. Before we do that, if you'll  
16 indulge us, there was a question that one of the  
17 Committee Members asked Mr. Tan regarding the distances  
18 between the lines within the shared corridor. He's  
19 obtained that information. And if you'd like, we can  
20 supplement the record with that right now.

21 CHMN STAFFORD: Excellent. Please do.

22 MR. TAN: Yes. The distance between the  
23 towers -- earlier we talked about the closest circuits.  
24 The towers is -- it's around 140 to 145 feet apart.

25 And then the question for the blowout. I mean,

1 the distance between the phases is 25 feet to take into  
2 account the blowout of the -- yeah, any blowout issues.

3 CHMN STAFFORD: Thank you. Mr. Moyes, please  
4 proceed.

5 MR. MOYES: Thank you.

6 BY MR. MOYES:

7 Q. Mr. Lindenlaub, going back to the previous line  
8 of questioning which had to do with the public notices  
9 that were distributed, we were reviewing a series of  
10 exhibits and wanted to go through a couple more of those.

11 A. (Mr. Lindenlaub) Certainly.

12 Q. And then turn you loose on the rest of your  
13 presentation for the environmental factors, if you will.

14 A. (Mr. Lindenlaub) Okay.

15 Q. Turning to Exhibit No. BH-12, would you describe  
16 what BH-12 purports to inform us of?

17 A. (Mr. Lindenlaub) Yes, sir. It's an affidavit  
18 showing where the signs were posted for the notification  
19 of the public hearing.

20 Q. And are you going to be presenting testimony  
21 further on regarding those signs and showing what those  
22 look like?

23 A. (Mr. Lindenlaub) I am.

24 Q. Okay. And lastly, BH-13, Mr. Lindenlaub. You  
25 mentioned previously a newsletter that was sent out to

1 the public.

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

3 Q. Is this an accurate description of the posting  
4 of that newsletter or the mailing of that newsletter?

5 A. (Mr. Lindenlaub) Yes, it is.

6 Q. And I believe you'll have slides showing more  
7 details regarding each of those items that we just  
8 discussed on each of those exhibits; is that correct?

9 A. (Mr. Lindenlaub) That's correct.

10 MR. MOYES: Mr. Chairman, we similarly would  
11 move to admit BH-12 and BH-13 into the record.

12 CHMN STAFFORD: I have a quick question on  
13 BH-13.

14 It says the letter was sent to the stakeholder  
15 mailing list. I'm not seeing that as part of this  
16 exhibit.

17 MR. LINDENLAUB: The stakeholder mailing list  
18 was the one generated previously regarding for the first  
19 newsletter announcing the project and the open house.

20 CHMN STAFFORD: Where is that in the record?

21 MR. LINDENLAUB: I'm not sure that it is.

22 MR. MOYES: I believe it's described in the  
23 Application itself, isn't it?

24 MR. LINDENLAUB: If it is, it would be in  
25 Attachment J.



1 BY MR. MOYES:

2 Q. Can you describe what the outreach of that  
3 mailing area was, Mr. Lindenlaub?

4 A. (Mr. Lindenlaub) I can. It was a GIS exercise  
5 to overlay a two-meter -- or two-meter -- two-mile buffer  
6 around the Booth Hills Transmission Line Project. In  
7 addition, given the proximity we included a one-mile  
8 buffer around the community of Mobile to the north of the  
9 project.

10 Q. Looking at the actual application under  
11 Exhibit J, Mr. Chairman and Mr. Lindenlaub, would it be  
12 accurate to describe on the first page of Exhibit J  
13 labeled page J-1 at the bottom in italics is security a  
14 description of newsletter 1.

15 Would that be the newsletter to which the  
16 Chairman is referring that you said was the first  
17 newsletter?

18 A. (Mr. Lindenlaub) That's correct.

19 Q. Okay. And that distance outreach that you just  
20 described applied to both that newsletter as well as this  
21 one, which was more relevant to the CEC hearing; correct?

22 A. (Mr. Lindenlaub) That's correct.

23 MR. MOYES: Did that answer your question,  
24 Mr. Chairman?

25 CHMN STAFFORD: Almost. In the mailing list I'm

1 not seeing -- I do see from the public house there's  
2 sign-in sheets where people gave mailings and e-mails,  
3 but it's my understanding that the first newsletter went  
4 out prior to the open house; correct?

5 MR. LINDENLAUB: That's correct.

6 CHMN STAFFORD: But we don't have the newsletter  
7 mailing list, though.

8 MR. LINDENLAUB: I'm not sure the mailing list  
9 itself has been admitted, but it is readily acquired.

10 CHMN STAFFORD: Can you tell me like how many  
11 people are on that mailing list?

12 MR. LINDENLAUB: Sure. In fact, I think we're a  
13 slide away from that. 358.

14 CHMN STAFFORD: Well, there you go. Thank you.

15 MR. LINDENLAUB: Certainly.

16 BY MR. MOYES:

17 Q. Mr. Lindenlaub, is it accurate to say that  
18 typically the public members on those mailing lists don't  
19 want their addresses published in public records like  
20 this?

21 A. (Mr. Lindenlaub) That's a reasonable assertion,  
22 Mr. Moyes, yes.

23 CHMN STAFFORD: My question is really more to  
24 not to ascertain the individual addresses --

25 MR. LINDENLAUB: Of course.

1 CHMN STAFFORD: -- but for the background of how  
2 many -- how many -- how big the universe of interested  
3 persons potentially was.

4 MR. LINDENLAUB: That's right. And please bear  
5 in mind that that's strictly for the newsletter mailing  
6 itself. There was also, as you know, advertisements in  
7 the local newspapers, and then, as I alluded previously,  
8 advertising on social media as well.

9 CHMN STAFFORD: All right. And Mr. Moyes, you  
10 had a motion to admit is it BH-12 and 13?

11 MR. MOYES: That's correct.

12 CHMN STAFFORD: Any other questions from  
13 Members?

14 (No response.)

15 CHMN STAFFORD: All right. BH-12 and BH-13 are  
16 admitted.

17 (Exhibits BH-12 and BH-13 were admitted.)

18 BY MR. MOYES:

19 Q. The last thing relevant to -- the last exhibit  
20 relevant to Mr. Lindenlaub's testimony -- and, again, he  
21 will show sides that elaborate in more detail, but the  
22 final exhibit -- or on the list that was originally  
23 submitted to you, Mr. Chairman, BH-17.

24 Mr. Lindenlaub, if you could turn to that, so we  
25 can admit it. And then --

1 A. (Mr. Lindenlaub) I'm there.

2 Q. BH-17 was labeled as a proof of social media  
3 outreach. Can you describe what that exhibit shows for  
4 us?

5 A. (Mr. Lindenlaub) Certainly. It's essentially  
6 four slides summarizing the results of the social media  
7 outreach.

8 MR. MOYES: With that said we would also move  
9 for admission of BH-17, Mr. Chairman.

10 And then Mr. Lindenlaub will proceed with the  
11 rest of his presentation.

12 CHMN STAFFORD: Any questions from Members on  
13 Exhibit BH-17?

14 (No response.)

15 CHMN STAFFORD: All right. Exhibit BH-17 is  
16 admitted.

17 (Exhibit BH-17 was admitted.)

18 MR. MOYES: I should note I believe at the  
19 beginning of the hearing, Mr. Chairman, we admitted 18 up  
20 front. Was that correct?

21 CHMN STAFFORD: Yes. 18 and 19 have both been  
22 admitted.

23 BY MR. MOYES:

24 Q. And 18 is merely a continuation of additional  
25 social media responses that were received between the

1 time this was first filed and to the latest that we could  
2 publish for today; is that correct, Mr. Lindenlaub?

3 A. (Mr. Lindenlaub) That's correct.

4 Q. Okay. I just wanted to clarify that.

5 MR. MOYES: If there aren't any other questions  
6 regarding those exhibits from the Committee or the  
7 Chairman, then we will ask Mr. Lindenlaub to move forward  
8 with the remainder of his public outreach presentation as  
9 well as his environmental presentation.

10 MR. LINDENLAUB: Thank you.

11 As indicated, this is the study area we  
12 described previously in the 358 recipients. In addition,  
13 we published notification of the open house and the  
14 project and the website in the Pinal Central Publication  
15 as well as the Arizona Republic.

16 The open house was held at the Maricopa Library  
17 and Cultural Center in Maricopa.

18 A little bit information related to the  
19 newsletter mailing and the advertisement, both included  
20 project descriptions and a map, open house details, the  
21 dates it ran on, and the note that the newsletter mailing  
22 was distributed in both English and Spanish.

23 The public open house was held on April 12,  
24 again, at the Maricopa Library and Cultural Center.  
25 Typical of open houses there were several stations that

1 included maps and texts summarizing the project.  
2 Representatives from both the applicant and WestLand  
3 participated in the open house. 12 members of the  
4 community and local stakeholders attended. Comment forms  
5 were provided but none were completed at the open house.

6 Moving forward to the notice of hearing and  
7 revisiting some of the things we've already talked about.

8 MR. TAN: The first slide here relates to the  
9 posting of the signs. In coordination with the Chairman  
10 we identified five locations around the project to post  
11 signs. An example of one is shown on the left-hand  
12 slide.

13 In addition, in order to meet the 10-day  
14 publication deadline for the notice of hearing, we  
15 published back-to-back notices in the Arizona Republic on  
16 April 28, and 29th.

17 And, again, the notice of hearing was  
18 distributed to the same recipients that received the  
19 original newsletter. There were public viewing locations  
20 both at the Maricopa Library and Cultural Center where  
21 the open house was held and then also at the Ak-Chin  
22 Indian Community Library, also proximal to the project.

23 So other elements of public involvement as  
24 indicated previously included a dedicated project e-mail,  
25 which received a few e-mails as were described

1 previously, as well as a dedicated phone number for  
2 receiving voice messages.

3 There was a project web page that was frequently  
4 updated that included all relevant project information as  
5 well as opportunities for the public to provide comment.

6 Here we have the social media engagement  
7 results. We posted on both Facebook and Instagram. We  
8 had communication as noted here. The advertisements  
9 reached over 4400 Facebook users and over a thousand  
10 Instagram users. Given the nature of social media, the  
11 radius was extended to 10 miles around the project.  
12 Facebook had 70 clicks directing them to the website, and  
13 the Instagram posting had 15.

14 We also published briefly on Nextdoor. There  
15 was no engagement on the Nextdoor posting. Oh, here we  
16 go right here. Zero clicks to the website.

17 Okay. Assuming everybody's okay, I'll move on  
18 to the environmental compatibility discussion. Thank  
19 you, Mr. Chairman.

20 Okay. As indicated previously in our overview,  
21 we're going to address land use, biological resources,  
22 visual resources and cultural resources, recreation, and  
23 then noise and interference.

24 We'll start with land use. Apologies for the  
25 text dense slides, but, as noted previously, the bulk of

1 the project is located in Maricopa County with a short  
2 half mile of the project in Pinal County.

3 The project is located on BLM lands within the  
4 lower -- within the tenure of the lower Sonoran Field  
5 Office as noted in the 2012 resource management plan by  
6 the lower Sonoran Field Office. They have a goal of  
7 managing lands to support the development of alternative  
8 energies.

9 The applicant, as Ms. Hamilton noted, has been  
10 coordinating with the BLM on the larger project since  
11 2020.

12 In addition, the project is located north of the  
13 Sonoran Desert National Monument. Also managed by the  
14 BLM under that resource management plan. And as  
15 indicated previously, the BLM as part of their NEPA  
16 process will assess the project's potential effects to  
17 that feature.

18 The project is also located in what's been  
19 identified as the preferred corridor alternative for  
20 Interstate 11, but I think, as we all know, that project  
21 isn't developed enough to really inform the project  
22 alignment.

23 No gas pipelines cross the project area, and  
24 overall the project is consistent with that Resource  
25 Management Plan plan.



1 With regard to biological resources, the  
2 project, as we saw on the flyover, occurs in the Sonoran  
3 Desert scrub biotic community, which is a common biome in  
4 southern Arizona. There is no designated or proposed  
5 critical habitant for federally listed species or  
6 important bird areas in the project area.

7 The Arizona Game and Fish Department has  
8 identified the Gila Bend and Sierra Estrella Linkage  
9 located within the footprint of the project.

10 Specifically with regard to sensitive species,  
11 our information identified three species listed under the  
12 Endangered Species Act as having a potential to occur in  
13 the project area. Those being the California Lease Turn,  
14 the Western Yellow-Billed Cuckoo and the Sonoran  
15 Pronghorn.

16 The bird species requires some type of riparian  
17 habitat generally, so they would not be expected to use  
18 the project, and the project is well outside the known  
19 current range of the Northern Pronghorn.

20 There is no suitable nesting habitat to either  
21 the eagles listed under the Bald and Golden Eagle  
22 Protection Act. The project contains suitable foraging  
23 habit for BLM sensitive bat species that may roost in the  
24 nearby Palo Verde Mountains.

25 In addition, other species that we understand

1 the BLM is currently considering include the Sonoran  
2 Desert Tortoise and Western Burrowing Owl surveys, which  
3 are ongoing and will continue.

4 So in their work with the Arizona Game and Fish  
5 Department and the BLM, the applicant has brought forward  
6 a number of mitigation elements to be considered during  
7 the NEPA evaluation, and those include preconstruction  
8 surveys for migratory birds for those areas where  
9 vegetation will be disturbed, conducting a Burrowing Owl  
10 survey prior to vegetation disturbance and then  
11 relocation of those Burrowing Owls if they're identified,  
12 and then minimizing nighttime lighting.

13 So in conclusion, while there is some potential  
14 for impact to wildlife as a result of the ground  
15 disturbing activities that are being proposed, in the  
16 light of the larger habitat for these species, it would  
17 be relatively minor. Federally listed species are  
18 unlikely to occur in the project. And because the  
19 project being considered is a transmission line, it is  
20 not anticipated to affect the wildlife corridor  
21 identified by the Arizona Game and Fish Department.

22 With the primary tool for the visual resources  
23 evaluation was the flyover that we observed previously.  
24 As noted in that flyover, the project is surrounded by  
25 desert scrub land and a few anthropogenic features, some

1 roadways, et cetera. There are no designated scenic  
2 areas within or nearby the project, and so impacts to the  
3 scenic areas would be relatively small and short in  
4 duration.

5 As part of this evaluation in addition to the  
6 flyover, we identified a key observation point accessible  
7 by the public about 2.2 miles to the northeast of the  
8 project area as can be seen in the simulation on the  
9 left-hand side of the screen. The project is not  
10 observable at that location.

11 And I would like to note as part of the NEPA  
12 evaluation, the BLM will evaluate both the Booth Hills  
13 Transmission Project as well as the larger solar projects  
14 as part of their NEPA evaluation per specific BLM  
15 requirements.

16 BY MR. MOYES:

17 Q. Now, this viewpoint, can you describe a little  
18 more about where it is? Is it off a main road? Is it  
19 somewhere where someone could potentially look at the  
20 project from?

21 A. (Mr. Lindenlaub) So the location was an attempt  
22 to get some elevation. It's not really on a main road in  
23 the area, but it was an attempt to get some elevation to  
24 be able to see the project. As you saw in the flyover,  
25 it was quite flat. And so finding a place where we might

1 be able to view the project and that was otherwise  
2 accessible was the challenge there.

3 CHMN STAFFORD: Accessible how?

4 MR. LINDENLAUB: By light vehicle. Not by  
5 walking or by 4 X 4.

6 CHMN STAFFORD: Okay. All right. Thank you.

7 MR. LINDENLAUB: Okay. With regard to cultural  
8 resources, some archaeologists did a record search that  
9 included a one-mile buffer around the proposed project  
10 area as shown in the image on the left.

11 You can see the list of data sources. The  
12 primary one being AZSITE. And as part of the evaluation  
13 determined that approximately 40 percent of the project  
14 area has been surveyed to modern standards.

15 However, the result of that evaluation indicated  
16 that there were no registered eligible sites located  
17 within the project area. There were three potentially  
18 registered eligible sites located within the one-mile  
19 buffer, but none which implicated the project area  
20 itself.

21 And, again, as part of their obligation under  
22 NEPA, the BLM will require survey of the remaining  
23 60 percent of the Booth Hills alignment, and they will  
24 engage in consultation with both the state historic  
25 preservation office and interested tribes.

1 With regard to recreation, recreational  
2 resources, in the -- for this BLM property, which  
3 includes OHV trails, and then, as indicated previously,  
4 in formal recreational target shooting.

5 The closest wilderness areas are 11 and 3 miles  
6 away from the project. As noted previously, the project  
7 area is adjacent to the Sonoran Desert National Monument,  
8 which is used for camping, hunting, hiking, OHV use, and  
9 wildlife observation.

10 Moving on to the comprehensive plans for the  
11 county jurisdictions, that there are no future plans to  
12 support recreational activities in this area. And the  
13 project is not anticipated to permanently impact  
14 recreation as access to the monument or other recreation  
15 opportunities.

16 With regard to noise and interference for the  
17 two transmission lines, the single project, construction  
18 noise as anticipated would be temporary and would occur  
19 during daylight hours primarily. The operational noise  
20 from the project would be anticipated to be  
21 distinguishable from ambient conditions, but the nearest  
22 rural residences are approximately a half mile east of  
23 the Pinal West Substation, the eastern terminus of the  
24 alignment.

25 The potential signal interference is considered

1 to be unlikely.

2 So, in conclusion, the project would be  
3 consistent with local zoning and federal land use  
4 management plans. The project is located on some  
5 privately owned lands as well as BLM land. And in our  
6 estimation the project would result in minimal effects  
7 and therefore be environmentally compatible with regard  
8 to the resources identified there.

9 BY MR. MOYES:

10 Q. Thank you, Mr. Lindenlaub.

11 Does that conclude your PowerPoint presentation?

12 A. (Mr. Lindenlaub) It does.

13 Q. In summary, Mr. Lindenlaub, have you formed an  
14 opinion regarding the overall environmental compatibility  
15 of this project?

16 A. (Mr. Lindenlaub) I have.

17 Q. And what is that opinion?

18 A. (Mr. Lindenlaub) Given the nature of the  
19 project and the nature of the resources in the project  
20 area, we believe that the project is environmentally  
21 compatible with the area and in keeping with designated  
22 plans for the area.

23 MR. MOYES: Thank you. Mr. Chairman, that  
24 concludes my questioning for the second panel, the  
25 environmental panel, and we are happy to entertain any

1 questions from the Committee at this time.

2 CHMN STAFFORD: All right. I have a quick  
3 question.

4 So you said that 40 percent of the project area  
5 has been adequately surveyed?

6 MR. LINDENLAUB: Correct.

7 CHMN STAFFORD: And that the applicant has  
8 agreed to do a Class 3 survey for the remaining portions  
9 of the project site area?

10 MR. LINDENLAUB: That's correct.

11 CHMN STAFFORD: Okay. And you'll -- the result  
12 of that survey you'll share with BLM and SHPO?

13 MR. LINDENLAUB: That's correct. BLM is  
14 requiring the survey. The result of the survey will be  
15 summarized in a report provided to the BLM  
16 archaeologists, who will then reach out to and engage  
17 with SHPO and the interested tribes.

18 CHMN STAFFORD: All right.

19 MEMBER LITTLE: Mr. Chairman?

20 CHMN STAFFORD: Yes, Member Little.

21 MEMBER LITTLE: A follow-up to that question,  
22 and that is a requirement under some law; right?

23 MR. LINDENLAUB: That's correct. The National  
24 Historic Preservation Act and the BLM's obligation under  
25 Section 106.

1 MEMBER LITTLE: Thank you.

2 MR. MOYES: Ms. Hamilton, would you like to add?

3 MS. HAMILTON: Thank you. I just wanted to add  
4 that actually the Class 3 has been completed, and the  
5 report is being finalized, but we have been in  
6 coordination with the Bureau of Land Management's  
7 archaeologist for quite some time. Our gen-tie line  
8 alignment had changed a little bit. And so we had  
9 previously conducted surveys, but that has been  
10 completed. So if needed we can share that.

11 CHMN STAFFORD: Thank you. I had a question  
12 regarding Exhibit D.

13 MR. LINDENLAUB: Yes.

14 CHMN STAFFORD: It refers to the Logan Simpson  
15 2022 Pinyon Solar Project social project biological  
16 survey report. I didn't see that anywhere in the  
17 materials provided.

18 MR. LINDENLAUB: So that report was completed  
19 for the BLM for the variance process. It was  
20 preliminarily evaluated and then decided that we had it,  
21 and we looked at it, but then we completed our own  
22 biological evaluation.

23 CHMN STAFFORD: In addition to that?

24 MR. LINDENLAUB: Correct.

25 CHMN STAFFORD: That was just the kind of



1 beginning step?

2 MR. LINDENLAUB: That's correct, Mr. Chairman.

3 CHMN STAFFORD: All right. Thank you.

4 Any other questions from Members?

5 MEMBER LITTLE: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Little.

7 MEMBER LITTLE: I -- just out of curiosity, I'm  
8 looking to see what this map is. It's Figure 2 in the  
9 application under Exhibit B. And it has E and then a big  
10 number, N, and a big number. What do the E and the N  
11 refer to? East and north? I'm just curious looking at  
12 it. I couldn't figure that out.

13 MR. LINDENLAUB: This is Exhibit B under  
14 environmental studies, correct? Or, I'm sorry, did you  
15 say A, Member Little?

16 MEMBER LITTLE: B.

17 MR. LINDENLAUB: B?

18 MEMBER LITTLE: Yes.

19 MR. LINDENLAUB: So the first report to come up  
20 under there is a cultural resources report. Oh, I'm  
21 sorry, those are coordinates, easting and northing.

22 MEMBER LITTLE: What does that mean? I'm just  
23 curious.

24 MR. LINDENLAUB: That is a very reasonable  
25 question. So I couldn't tell you what coordinate system

1 it's in. In fact, it may be on -- listed on here, but  
2 basically it's an idea of locating a feature in space so  
3 far east of one point and so far north of another point  
4 to give you a single coordinate.

5 MEMBER LITTLE: I figured that, but I couldn't  
6 figure what point it's east and north of, but thank you.

7 MR. LINDENLAUB: Certainly.

8 MEMBER LITTLE: Like I said, I was just curious.

9 MR. LINDENLAUB: NAD 1983 UTM Zone 12N is the  
10 coordinate system that was used for that.

11 MEMBER LITTLE: Okay. Mr. Chairman, I think  
12 that's all my questions. Thank you.

13 CHMN STAFFORD: Thank you, Member Little.

14 Any other questions from Members?

15 MEMBER FONTES: Mr. Chairman, I have a question.

16 CHMN STAFFORD: Yes, please, Member Fontes.

17 MEMBER FONTES: I know you're still going  
18 through the NEPA. The substations in Arizona are  
19 characterized by bat infestations at a certain time of  
20 the year, and they have to engage in repellent also known  
21 as purple Kool-Aid.

22 Did your study look at that? I know this is a  
23 transmission line, but you can't operate a line without a  
24 substation in terms of the bat. And can you characterize  
25 that for us?

1 MR. LINDENLAUB: We're way on the front end of  
2 doing an evaluation. We're still conducting baseline  
3 surveys for what's there.

4 MEMBER FONTES: Okay.

5 MR. LINDENLAUB: So in support of the  
6 environmental assessment for the larger project a  
7 biological evaluation has yet to be completed.

8 I'm not misspeaking, am I, Ms. Hamilton?

9 MS. HAMILTON: No, you're not misspeaking. And  
10 that is actually not something that the BLM has brought  
11 up to us. And, generally speaking, we wouldn't be able  
12 to intervene. And on the SRP or TEP portions we would  
13 not -- I mean, that would be past our -- our point of  
14 interconnection. So I don't know what their protocol  
15 would be, but for our project substations that's not  
16 something, but I can certainly discuss that with the BLM  
17 and their resource specialist.

18 MEMBER FONTES: Second question on that is when  
19 you did your initial work for this permit, did you look  
20 at the floodplain and/or any kind of sinkholes, and can  
21 you characterize what that might have entailed? Because  
22 that's been a big problem in ED4 and ED5, which are  
23 substations in this county.

24 MR. LINDENLAUB: Over floodplains or sinkholes?

25 MEMBER FONTES: Sinkholes, yes, during

1 construction.

2 MR. LINDENLAUB: No, you know, that's a  
3 geotechnical evaluation.

4 MEMBER FONTES: Yeah.

5 MS. HAMILTON: So I can also comment on that.  
6 So we are in -- we're waiting on our categorical  
7 exclusion from the BLM to conduct geotechnical  
8 evaluations of the full solar site, and then there'll be  
9 a second geotechnical evaluation for the gen-tie itself.

10 We are aware of the floodplains that are out  
11 there. We've had a hydrology and hydraulic study done.  
12 We've had preliminary design developed for the solar  
13 project as well as for the gen-tie, which is those  
14 structure figures that you were seeing. So we have about  
15 a 30 percent design that will continue to be refined as  
16 the project advances, but those are things that we are  
17 absolutely aware of, and we retained local engineering  
18 consultants to develop those designs and experts in the  
19 hydrology and hydraulics of Maricopa County and all of  
20 Arizona to ensure that those things were considered, and  
21 we are not constructing within floodplains. So we won't  
22 be putting any structures or anything. I mean, we're  
23 avoiding to the extent practicable, and we will be  
24 continuing to evaluate that.

25 MEMBER FONTES: That's good. Thank you.

1 So you said categorical exception under the NEPA  
2 for the transmission. Does that include the substation?

3 MS. HAMILTON: I apologize if I misspoke. The  
4 categorical exclusion is for the geotechnical evaluation.

5 MEMBER FONTES: Thanks for the clarification.

6 MS. HAMILTON: Sure.

7 MEMBER FONTES: Thanks, Mr. Chairman.

8 CHMN STAFFORD: Thank you.

9 MEMBER LITTLE: Mr. Chairman.

10 CHMN STAFFORD: Yes, Member Little.

11 MEMBER LITTLE: I did find one other question  
12 that I -- something else that I had highlighted in my  
13 review.

14 In Exhibit J, a letter is provided -- or it  
15 provided a letter that came from Fish and Game --  
16 Game and Fish. And as one of their recommendations, they  
17 recommended that vegetating -- revegetating disturbed  
18 areas with native drought-tolerant species be done.

19 Is the applicant willing to do that, to make a  
20 commitment to do that?

21 MS. HAMILTON: So we are continuing to  
22 coordinate with Arizona Game and Fish Department to  
23 design the project, to evaluate their concerns, to  
24 minimize impacts where practicable, and we are not  
25 planning to go through the site and blade and grade it.

1 But, obviously, for safety purposes vegetation  
2 does need to be big mowed or maintained, you know, for  
3 various reasons, just for safety for access, for fire,  
4 et cetera. We don't have any plans to revegetate the  
5 site, but that's something that we can, you know,  
6 continue to look at.

7 I'm not sure if that's feasible. It, obviously,  
8 has to do with the assignment. And, again, one of the  
9 biggest things that we're doing here to minimize  
10 environmental impacts is to avoid development in the  
11 washes, and so that would also include the vegetation  
12 that helps prevent erosion and sediment downstream, but  
13 there are requirements that we have to meet for  
14 retention -- you know, maintaining flows and on-site  
15 retention.

16 And so to meet all of the requirements that are  
17 needed to maintain water quality standards, et cetera,  
18 there are a lot of factors that we have to consider. So  
19 it just may not be feasible to landscape the site, and  
20 ultimately it will depend on what the BLM asks for and  
21 their stipulations.

22 But as far as the gen-tie goes, we will only be  
23 disturbing in the areas that are necessary, and, again,  
24 part of the reason that we collocated these lines within  
25 the same corridor is to minimize overall disturbance and

1 removal of vegetation.

2 MEMBER LITTLE: Thank you.

3 MS. HAMILTON: You're welcome.

4 CHMN STAFFORD: Any other questions from  
5 Members?

6 (No response.)

7 CHMN STAFFORD: That concludes your presentation  
8 today, Mr. Moyes?

9 MR. MOYES: It does. Thank you, Mr. Chairman.

10 CHMN STAFFORD: Do you want to give a closing  
11 statement now, or do you want to wait until after public  
12 comment?

13 MR. MOYES: Whichever you would prefer.

14 CHMN STAFFORD: If I were in your position, I  
15 think I'd want to do it closer to the time when the  
16 Committee votes, but it's up to you.

17 MR. MOYES: We can do it tomorrow when we vote  
18 or I can do that tonight.

19 CHMN STAFFORD: All right. Well, with that, we  
20 have no other information from the applicant to present  
21 at this point.

22 Then we do have a number of people from the  
23 public here now. I know we have another public comment  
24 session noticed for 5:30 this evening, which we will  
25 still do, but since we're all here and members of the

1 public are here as well, I think we could take public  
2 comment from now so that they will not have to come back  
3 here at 5:30.

4 So let's take a brief recess and then find out  
5 who from the public wants to speak. And when we come  
6 back, we will allow them to do so.

7 MR. MOYES: Mr. Chairman, there are a couple of  
8 other small procedural items to take care of, which we  
9 can do after the break or tomorrow, whichever you prefer,  
10 regarding the admission of the remaining exhibits that  
11 were pre --

12 CHMN STAFFORD: Let's do that after public  
13 comment.

14 MR. MOYES: Okay.

15 CHMN STAFFORD: I had a few thoughts.

16 MR. MOYES: Okay.

17 CHMN STAFFORD: So -- all right. With that, we  
18 will take a brief recess followed by additional public  
19 comment. We're in recess.

20 (Recess from 3:38 p.m. to 3:56 p.m.)

21 CHMN STAFFORD: All right. Let's go back on the  
22 record. We have public comments scheduled for 5:30, but  
23 we can also take it at the discretion of the Chairman.  
24 And now that the applicant has presented its case, we  
25 have some time, we have some members of the public here



1 that are with us and would like to speak.

2 We have Monica Labadie.

3 Please come to the podium over here.

4 Go ahead. Thank you.

5 MS. LABADIE: I would just like to request a  
6 second open house. I did get a letter with a posted date  
7 of the first open house, and on that date I was not able  
8 to make it.

9 One of the things that would help me to  
10 visualize this a little better you guys had a great map  
11 with purple and red lines showing the different lines,  
12 and I would actually like to see those lines drawn with  
13 spray paint on the ground as SRP, APS, and Southwest Gas  
14 do when they're looking at lines. And it would help me  
15 personally to visualize the project a little better.

16 CHMN STAFFORD: Thank you.

17 We also had Robert Gentry and Sue Gentry sign  
18 in, but they did not wish to speak.

19 We also had Aubrey Jacobs sign in, but she did  
20 not wish to speak as did Ryan Teele and Ross Babcock.

21 All right. With that, we will go back to recess  
22 until 5:30 when we resume with the formal and previously  
23 noticed public comment. We're in recess. Thank you.

24 (Recess from 3:58 p.m. to 5:33 p.m.)

25 CHMN STAFFORD: All right. Let's go back on the

1 record.

2 Now is the time set for public comment for Line  
3 Siting Case 220. Do we have anyone on the line?

4 AV TEAM MEMBER: Mr. Chairman, we have Toby  
5 Little and David French online but no one from the  
6 public.

7 CHMN STAFFORD: All right. And there's no one  
8 present here anymore? All right.

9 Well, let's go off the record, and then if  
10 someone calls in or shows up, we'll go back on the record  
11 to take their comments. At least till six o'clock, so  
12 we'll give them that window for someone to call in or  
13 show up.

14 So, with that, we're off the record.

15 (Recess from 5:33 p.m. to 5:50 p.m.)

16 CHMN STAFFORD: We have someone who's called in  
17 for public comment on the Zoom. Can you please state  
18 your name?

19 MR. FINCHER: My name is William Fincher. I'm  
20 one of the property owners that are adjacent to -- not to  
21 the Booth Hills line, but I'm a property owner adjacent  
22 to the proposed solar -- solar plants on the -- they're  
23 proposed on BLM land.

24 CHMN STAFFORD: All right. So go ahead and make  
25 your comment. So you have three minutes.

1 MR. FINCHER: Not sure how these whole things  
2 work. I was just curious about how it was going to  
3 proceed, what are the easement that are allowed. We  
4 actually live -- we have property that is adjacent to an  
5 airport, so we take off and land in an airplane there.  
6 And we were wondering how close the solar panels are  
7 going to be. The transmission lines I don't think are  
8 going to be an issue, but the solar panels, how close  
9 they come to our property may be an issue. And then we  
10 were wondering about that.

11 CHMN STAFFORD: All right. Can you please spell  
12 your last name for the record?

13 MR. FINCHER: F-I-n-c-h-e-r.

14 CHMN STAFFORD: Does that conclude your  
15 comments?

16 MR. FINCHER: Yeah. That was just to ask a  
17 question. I wasn't sure how this whole thing would  
18 proceed. But that was the reason I sort of tuned in to  
19 the whole thing.

20 CHMN STAFFORD: All right. Well, your best bet  
21 to get an answer to that question is probably from the  
22 applicant.

23 MR. FINCHER: Okay.

24 CHMN STAFFORD: Have you given them your contact  
25 information?

1 MR. FINCHER: I -- I addressed it when they had  
2 a meeting out in Maricopa, and I was just curious on how  
3 they were going to address that. I haven't heard back  
4 from them, so I guess kind of wait and see.

5 CHMN STAFFORD: All right. Well --

6 MEMBER LITTLE: Mr. Chairman, can I ask one  
7 question?

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: I'm just -- Mr. Fincher, I'm  
10 wondering if you -- you said you had asked them at a  
11 meeting out in Maricopa. I'm wondering if you had  
12 received a response.

13 MS. IRENE: No.

14 MR. FINCHER: No, hadn't. They said they were  
15 going to call, e-mail. Haven't heard anything.

16 CHMN STAFFORD: Mr. Moyes, would you like to  
17 follow up with this --

18 MR. MOYES: We certainly will. I remember  
19 Mr. Fincher from the open house. And I believe you spoke  
20 with --

21 MR. FINCHER: Hey, Jason.

22 MR. MOYES: Good to see you. I believe your  
23 spoke with Tristan Cooke, Avantus' real estate expert.  
24 We will certainly follow up with Tristan to make sure he  
25 addresses --

1 MS. IRENE: I think Ms. Hamilton.

2 MR. MOYES: Tristan and Ms. Hamilton can -- will  
3 follow up with you. I believe -- did you -- I don't  
4 think anyone signed in to the sheet for that open house,  
5 and so that may be one of the reasons they have not --

6 MS. IRENE: No, we did.

7 MR. MOYES: You did? Okay.

8 MS. IRENE: We signed in.

9 CHMN STAFFORD: Ma'am, could you please identify  
10 yourself for the record?

11 MS. IRENE: Sure. My name is Kimberly Irene.  
12 Last name I-R-E-N-E.

13 CHMN STAFFORD: Thank you. Would you also like  
14 to make comment?

15 MS. IRENE: No.

16 MR. FINCHER: She has the same answers as we --  
17 we're husband and wife, so it's a common use. I mean, we  
18 take off and land out there all the time.

19 MS. IRENE: Yeah, we have an airport out there,  
20 so we were just wondering, you know, the proximity of the  
21 solar panels to our airport.

22 CHMN STAFFORD: Okay.

23 MR. MOYES: Assuming you left a phone number or  
24 contact info on that sign-in sheet, we will make sure  
25 Mr. Cooke contacts you. But would you do us an

1 additional favor, Mr. Fincher, and send an e-mail to the  
2 project website, the same place where you got the info  
3 for this call-in --

4 MR. FINCHER: Yes, sir.

5 MR. MOYES: -- with that info again just to make  
6 sure that we don't let you slip through the cracks.

7 MR. FINCHER: Yeah. Yeah. And I think, you  
8 know, because you guys were addressing the transmission  
9 lines, the solar panels, sort of down the road.

10 MR. MOYES: That's correct.

11 MR. FINCHER: We just -- get a little bit of a  
12 buffer so we don't have solar panels at the approach and  
13 our departure. We want a little bit of a buffer so that  
14 we're not taking off and landing over solar panels.

15 MS. IRENE: Yeah. That was our only concern.

16 MR. FINCHER: That was our biggest concern. I  
17 know this is way down the road. So that was why we tuned  
18 into this thing. And, actually, we just wanted to hear  
19 comments --

20 MS. IRENE: Yeah, we kind of wanted to be on  
21 live stream, not on Zoom. We're not -- in the Zoom --

22 MR. FINCHER: So, sorry to take up you guys'  
23 time. You guys have way more important --

24 MS. IRENE: Yes.

25 MR. FINCHER: -- ancillary issues to deal with.

1 CHMN STAFFORD: Thank you very much for your  
2 comments.

3 MS. IRENE: Thank you.

4 CHMN STAFFORD: Do we have anyone else on the  
5 line?

6 AV TEAM MEMBER: Mr. Chairman, I believe they  
7 were the only commenters online.

8 CHMN STAFFORD: All right. Well, we'll wait  
9 another four minutes to see if anyone else shows up for  
10 comments.

11 MS. IRENE: Can we mute this?

12 CHMN STAFFORD: Yes, please, mute your mic when  
13 you're done talking. Thank you.

14 Let's go off the record.

15 (Recess from 5:56 p.m. to 6:00 p.m.)

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

17 It's six o'clock now, and no other public  
18 commenters have come in person or called in to the phone  
19 or the Zoom. So we will recess until tomorrow morning.  
20 At nine o'clock, we will commence the hearing. We stand  
21 in recess.

22 (The proceedings recessed at 6:00 p.m.)

23

24

25

1 STATE OF ARIZONA )  
 )  
2 COUNTY OF MARICOPA )

3 BE IT KNOWN that the foregoing proceedings were  
4 taken before me; that the foregoing pages are a full,  
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13 obligations set forth in ACJA 7-206(F)(3) and  
14 ACJA 7-206(J)(1)(g)(1) and (2).

15 Dated at Phoenix, Arizona, June 8, 2023.

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20 JENNIFER HONN, RPR  
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