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BEFORE THE ARIZONA POWER PLANT  
AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE ) DOCKET NO.  
APPLICATION OF CHEVELON BUTTE ) L-21080A-19-0171-00182  
RE LLC, IN CONFORMANCE WITH )  
THE REQUIREMENTS OF ARIZONA )  
REVISED STATUTES 40-360, ET ) CASE NO. 182  
SEQ., FOR A CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING THE CHEVELON BUTTE )  
WIND GEN-TIE PROJECT, WHICH )  
INCLUDES THE CONSTRUCTION OF A )  
NEW 345 KV TRANSMISSION LINE )  
AND ASSOCIATED INTERCONNECTION )  
FACILITIES ORIGINATING IN )  
COCONINO COUNTY AND )  
INTERCONNECTING WITH THE APS )  
PREACHER CANYON-CHOLLA 345KV )  
LINE IN NAVAJO COUNTY, )  
ARIZONA. )  
\_\_\_\_\_ )

At: Flagstaff, Arizona  
Date: September 16, 2019  
Filed: September 23, 2019

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME I  
(Pages 1 through 158)

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1                   BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before  
3 the Arizona Power Plant and Transmission Line Siting  
4 Committee at the High Country Conference Center, 307  
5 West Dupont Avenue, Flagstaff, Arizona, commencing at  
6 1:07 p.m. on the 16th of September, 2019.

7

8 BEFORE: THOMAS K. CHENAL, Chairman

9           LAURIE WOODALL, Arizona Corporation Commission  
10           LEONARD DRAGO, Department of Environmental Quality  
11           JOHN RIGGINS, Arizona Department of Water Resources  
12           MARY HAMWAY, Cities and Towns  
13           GIL VILLEGAS, JR., Counties  
14           JAMES PALMER, Agriculture  
15           PATRICIA NOLAND, Public Member  
16           JACK HAENICHEN, Public Member  
17           KARL GENTLES, Public Member

18

19 APPEARANCES:

20 For the Applicant, Chevelon Butte Wind RE, LLC:  
21           DICKINSON WRIGHT, PLLC  
22           Mr. Albert Acken  
23           1850 North Central Avenue, Suite 1400  
24           Phoenix, Arizona 85004

25

1 CHMN. CHENAL: Good afternoon, everybody. My  
2 name is Tom Chenal, Chair of the Line Siting Committee.  
3 And this is the time set for the hearing to begin on  
4 the application of sPower Chevelon Butte Wind Gen-Tie  
5 Project.

6 May we have a roll call, please, of the  
7 members of the Committee. Member Riggins, I'm going to  
8 start with you.

9 MEMBER RIGGINS: John Riggins, Director's  
10 Designee for the Arizona Department of Water Resources.

11 MEMBER DRAGO: Len Drago, DEQ, Department of  
12 Environmental Quality.

13 MEMBER PALMER: Jim Palmer, representing  
14 agriculture.

15 MEMBER HAMWAY: Mary Hamway, representing  
16 Cities and Towns.

17 MEMBER WOODALL: Laurie Woodall, representing  
18 the Chairman of the Arizona Corporation Commission.

19 And to my right is the newest member of the  
20 Line Siting Committee, and I gave him an opportunity  
21 to -- or, I asked Mr. Chenal if he could have an  
22 opportunity to introduce himself, because he's new to  
23 the Committee. His credentials are very impressive.

24 MEMBER GENTLES: Well, thank you.

25 I'm Karl Gentles. I'm representing the

1 general public. I run a public relations agency and a  
2 nonprofit in the Valley. Very excited to be up here at  
3 NAU, or the NAU area, since it's 120 degrees downtown.  
4 So very good to be up here, thank you.

5 I'm very excited to be a part of the  
6 Committee, and hope I can provide some meaningful  
7 input. And I'm told you have to keep this thing held  
8 down or you get cut off, so I'm just going to stop now.  
9 Thank you.

10 (Laughter.)

11 MEMBER HAENICHEN: My name is Jack Haenichen;  
12 I'm representing the public. And I'm kind of the  
13 technical guy on the Committee, so watch out.

14 (Laughter.)

15 MEMBER NOLAND: Patricia Noland, I represent  
16 the general public.

17 MEMBER VILLEGAS: I'm Gil Villegas, I'm  
18 representing the counties.

19 CHMN. CHENAL: Very good. Just a note of  
20 caution to the applicant: When Member Haenichen starts  
21 reaching for the microphone, whoever is on the witness  
22 stand or is testifying, you're in for it, just to let  
23 you know.

24 Okay, a couple housekeeping items. I'd just  
25 like to admonish the public and the applicant and

1 representatives of the applicant that we, as a  
2 Committee, cannot discuss the merits of the case while  
3 the case is ongoing. It would be a violation of our  
4 rules and statutes. So we can talk to you about the  
5 weather, about other things, but not about the -- about  
6 the projects. Please don't ask for, you know, any  
7 comment about that.

8 We'll take a break at least every 90 minutes  
9 for lots of reasons, including, but not limited to, to  
10 give our great court reporter here a break.

11 We don't have any parties who seek to  
12 intervene, I have not received any public comment  
13 statements, written statements, that are authorized  
14 under the statute. We will take public comment  
15 liberally for the convenience of those that desire to  
16 make a comment. So as I indicated to Mr. Acken, after  
17 the opening statement we'll take public comment from  
18 the Mayor and anyone else that wishes to speak.

19 And we'll also, to remind the Committee,  
20 tonight we will reconvene -- after this hearing  
21 adjourns, we'll reconvene at 6:00 p.m. to -- for a  
22 public hearing for additional public comment, if any.

23 Yes, Member Woodall.

24 MEMBER WOODALL: Mr. Acken, I'm asking you  
25 this question so you can incorporate it in your orderly

1 presentation. But at some point, could you describe in  
2 detail the notification that you've done at the hearing  
3 venue to ensure that members of the public who wanted  
4 to come here would be able to find us in this  
5 particular room. So you don't need to do that now. I  
6 know you're going to do notice, et cetera, et cetera;  
7 perhaps that will be the time to incorporate it. Thank  
8 you.

9 MR. ACKEN: Okay. Chairman Chenal,  
10 Committee Member Woodall, thank you for the comment and  
11 the question. And we will certainly incorporate it in  
12 the testimony of Mr. Unrein, who will be presenting  
13 testimony with regards to the public outreach for the  
14 Project as part of his presentation.

15 CHMN. CHENAL: Just further housekeeping  
16 items before we begin. There will be a tour tomorrow  
17 morning; and because it will take some time to go to  
18 the location, which is miles south of Winslow, we're  
19 planning on leaving, or at least starting the hearing  
20 tomorrow morning at 7:00 a.m. for those that wish to  
21 attend the hearing -- excuse me -- the attend the tour.

22 I think we projected we'll take a good part  
23 of the morning for that and come back. So I guess we  
24 can decide later today if we just want to assume that  
25 the morning is gone, and then we'll just reconvene the

1 hearing tomorrow at 1:00 in the afternoon, or if we get  
2 an update from the applicant, how much time the  
3 applicant believes the tour will take. But I'm  
4 guessing that since they always take a little longer  
5 than we think, that probably most of the morning will  
6 be taken up by the tour.

7 There's no disclosure issues, because there's  
8 no other party intervening. There's no real legal  
9 issues that were -- that presented themselves in this  
10 matter.

11 So does the applicant -- Mr. Acken, do you  
12 have anything you want to discuss before we get into  
13 the opening statement?

14 MR. ACKEN: Mr. Chairman, I guess I'll  
15 announce myself for the record again. My name is  
16 Bert Acken of Dickinson Wright on behalf of the  
17 applicant, Chevelon Butte RE, LLC, a subsidiary of  
18 sPower. With me at counsels' table right now is  
19 Terrance Unrein, senior permitting manager for the  
20 Project. And when he is not testifying, he'll likely  
21 be here at counsels' table with me.

22 CHMN. CHENAL: Very good, thank you.

23 I was just going to ask you to make your  
24 appearance, and you already did, so that's good. So if  
25 you'd like, we're interested to hear your opening

1 statement.

2 MR. ACKEN: Thank you, Mr. Chairman. I just  
3 have some brief comments. I'd welcome questions from  
4 the Committee. I think it would be helpful for us, as  
5 we lead into testimony, feel free, if you have  
6 questions as I speak, to raise them now.

7 So, again, sPower, the parent company of  
8 Chevelon Butte, appreciates the opportunity to present  
9 the Chevelon Butte Wind Farm and the Chevelon Butte  
10 Wind Gen-Tie Project.

11 So, to orient you, this map is Slide 5, from  
12 what's been marked as CVN 2, provides a regional  
13 overview of the Project. We are in Flagstaff, in the  
14 upper left corner of that map. You see the Project  
15 50 miles southeast of our location, 27 miles south of  
16 Winslow. It's located on -- both the Wind Farm and the  
17 Gen-Tie are located on 42,000 acres of private property  
18 and State Trust Land, known as the Chevelon Butte  
19 Ranch.

20 The Wind Farm has a capacity -- planned  
21 capacity of up to 477 megawatts, which will make it, by  
22 far, the largest wind project in Arizona, with turbines  
23 up to 164. And it will interconnect with the existing  
24 APS 345 kV transmission line.

25 The next slide shows an overview of the

1 Gen-Tie. Recall, we are seeking authority for the  
2 Gen-Tie features as part of this Project in the CEC  
3 application.

4           So what specifically are we requesting  
5 approval for? It is the 12-mile, 345 kV Gen-Tie line,  
6 two collector substations that are part of the Project,  
7 and then the one new interconnection, you'll see us  
8 refer to it as either the switching station or the  
9 switch yard, and that's in the eastern terminus of the  
10 Project -- of the Gen-Tie line where it interconnects  
11 with APS's transmission system.

12           This next slide is Slide 15 from CVN 2.  
13 You'll see this used a fair amount, and it's prominent  
14 in our application materials. It provides a close-up  
15 of the Gen-Tie land ownership. Land ownership, you  
16 see, white is private lands, blue is State Trust Land;  
17 and the Gen-Tie and substations are entirely located on  
18 private and State Trust Lands. You see the green is  
19 national forest. And then you see some Hopi Trust  
20 Lands to the north of the Project that are shown there  
21 in a salmon color.

22           We will be requesting a single 150-foot  
23 right-of-way for the Gen-Tie within a 500-foot corridor  
24 for the majority of the Project. The last mile we're  
25 asking for a 1300-foot width to accommodate the

1 switching station options. We'll talk more about the  
2 switching station options, but we are requesting  
3 authority for approval for both switching station  
4 options. And this provides us flexibility in working  
5 with APS and, frankly, provides APS flexibility with  
6 respect to engineering, construction, and site  
7 accessibility.

8 We have two panels today. Our first panel  
9 will be witnesses from sPower: Jeffrey Nemeth,  
10 director of wind development; and Terrance Unrein,  
11 senior permitting manager. They will discuss in detail  
12 what I mentioned already, the Wind Farm, the Gen-Tie,  
13 facilities, jurisdiction, the corridor, the public  
14 outreach, things of that nature.

15 And then Mr. Unrein will also provide  
16 testimony regarding the needs and benefits provided by  
17 the Project. And you see a summary of needs and  
18 benefits that we've identified here. There's six of  
19 them listed: Provides cost-competitive and reliable  
20 source of renewable energy; no air emissions or water  
21 use during operations.

22 One of the real positive aspects of a wind  
23 project, and this one in particular, is that the  
24 property can remain a working cattle ranch, and so it's  
25 consistent and compatible and complementary with

1 existing land uses.

2 I mentioned that a large portion of the  
3 Project is on Arizona State Land Department -- State  
4 Trust Lands, so with that will come benefits to the  
5 State Trust beneficiaries. It will provide a regional  
6 economic impact for northern Arizona, Winslow in  
7 particular. And then, of course, it's an in-state  
8 source of renewable energy, and in particular, an  
9 in-state source of wind. And those of you who have  
10 been on the Committee for some time or are just  
11 generally familiar, know that we only have a handful of  
12 operating wind projects in Arizona, and so the  
13 opportunity to add a really kind of keystone project is  
14 exciting.

15 Our environmental panel will include two  
16 witnesses from SWCA: Allen Graber is the Project  
17 manager; and then David Barr will also be testifying,  
18 providing additional information regarding the analysis  
19 of cultural resources. And they will provide their  
20 findings, analysis, and conclusions with respect to all  
21 of the environmental resources that are part of the CEC  
22 application that you would expect to see.

23 And specifically, this slide is Slide 21 from  
24 CVN 3, it summarizes their analysis with respect to  
25 environmental compatibility. You're going to have a

1 relatively small permanent disturbance associated with  
2 the 12-mile Gen-Tie and the substations. It's on a  
3 route that's been disturbed by livestock grazing and  
4 ranching activities. As I mentioned earlier, it's  
5 compatible with existing land uses and complementary to  
6 them. It will not disturb any areas of biological  
7 wealth, will not disturb archaeological historical  
8 sites, and will have minimal visual and sound impacts  
9 to the nearest residents, which are, frankly, not that  
10 close by.

11 So that, in summary, is the testimony that we  
12 are going to provide. We really appreciate you guys  
13 making the drive to Flagstaff to hear about this  
14 Project. Our team is really excited about it and look  
15 forward presenting it and answering all the questions  
16 that you have. So thank you.

17 CHMN. CHENAL: Member Woodall.

18 MEMBER WOODALL: Mr. Acken, I did have an  
19 opportunity to see the proposed form of the CEC, and I  
20 have a level of concern with regard to the specificity  
21 of the description of the route itself. And I'm  
22 wondering if you're going to be able to provide more  
23 details regarding that, and if you could explain, or  
24 one of your witnesses could explain, how members of the  
25 public could actually find out where on planet earth,

1 as I often say, this will be.

2 Secondly, I notice that the benefits that you  
3 discussed in your opening statement related  
4 principally, I thought, to the wind project itself. I  
5 would appreciate it if you could identify any benefits  
6 that are going to flow from the enhancement of the  
7 electrical system from the transmission lines, as  
8 opposed to the benefits of the wind project alone.  
9 That would be helpful to me.

10 And then I know you do want 56 acres for a  
11 substation. Is that because you -- Is that the  
12 two-site one that you want? That's kind of hefty for a  
13 substation. So if your witnesses could address that in  
14 their testimony, I would appreciate that as well.

15 Thank you so much.

16 MR. ACKEN: Chairman Chenal, Committee Member  
17 Woodall, thank you for your comments and previewing  
18 your concerns and questions, and we will certainly  
19 address that during our direct testimony.

20 CHMN. CHENAL: Member Haenichen.

21 MEMBER HAENICHEN: Thank you. The reason I'm  
22 asking this -- the reason -- Oh, I pushed the wrong  
23 button. The reason I'm asking this question now is  
24 your representatives may want to have a conversation  
25 with APS to answer it.

1           What I'm concerned about is: This existing  
2 APS line obviously has been there for some time, and it  
3 has -- it's used, it has various uses. I'm concerned  
4 about the capacity of that line vis-a-vis the maximum  
5 output of the proposed Wind Farm, and not just the  
6 steady-state capacity, but also the peak capacity. And  
7 the point of that being: Are you going to have to  
8 throw away some of the wind power because there's no  
9 room on the APS line?

10           Thank you.

11           MR. ACKEN: Thank you, Chairman, Committee  
12 Member Haenichen. We will address that as well. Thank  
13 you.

14           CHMN. CHENAL: All right. Thank you,  
15 Member Haenichen, for making the point that I made  
16 earlier.

17           All right. Are there any further questions  
18 from the Committee at this time?

19           (No response.)

20           CHMN. CHENAL: If not, let's begin with  
21 public comment. If you'd be kind enough, whoever  
22 wishes to speak, I understand the Mayor wishes to  
23 speak -- you don't have to do this, Mayor, but we'd  
24 request everyone else to sign in and provide your name  
25 and a means of contact. Normally, it would be like a

1 phone or an e-mail.

2 But with that, Mayor, if you'd like to  
3 provide comment, we're anxious to hear.

4 MAYOR MCCAULEY: Good afternoon, and thank  
5 you for allowing me to address you today. My name is  
6 Thomas McCauley, and I am the Mayor of the City of  
7 Winslow.

8 Last month or a couple months ago we had a  
9 really nice public forum with a lot of participants and  
10 attendees that came to listen to what this Project was  
11 about in Winslow. And this Project, quite frankly, is  
12 very dear and close to my heart, and I'll tell you why.  
13 Couple of reasons.

14 First, my family came to Arizona in 1860.  
15 We've been ranching this same area for many, many, many  
16 years. When you're a cowboy and you work in a ranch  
17 and it's an active, productive ranch, you don't want to  
18 do anything to harm your land, because that's the way  
19 you raise your cattle and that's the way you raise your  
20 money.

21 The Chevelon Butte owners are very particular  
22 about what happens on their property, how it happens on  
23 their property, how it's going to affect their cattle,  
24 how it's going to affect the livestock, how it's going  
25 to affect anybody going to water, whether it's an elk,

1 a deer, or a rat, okay. They're very fine stewards of  
2 their property. They wouldn't be bringing this ahead  
3 and discussing with sPower if it wasn't something that  
4 they've already done their due diligence on.

5 So with that, I would say, as the Mayor of  
6 the City of Winslow, during our public meeting that we  
7 had, we had nobody from the City of Winslow that was  
8 opposed to what is planned 27 miles south of Winslow.  
9 And that sounds like it's a long distance, but by the  
10 way the crow flies, it's a 20-minute drive out to where  
11 we are. Many of us go out there for recreation  
12 purposes and hunting and fishing and hiking and these  
13 things, and it's a beautiful area.

14 When I was a young kid and they brought the  
15 wind farms over to Snowflake, we thought, you know,  
16 it's going to be such an adverse effect over there; but  
17 it hasn't been bad at all. And the last time I went  
18 down 377, I also saw two elk standing underneath one of  
19 the windmills and they were rubbing up against it, so  
20 it was their new scratching post. And so they've  
21 adapted very well, and I see the same thing happening  
22 over at the Chevelon Butte.

23 So the other thing I wanted to address is in  
24 Navajo and Apache Counties we have -- the Cholla Power  
25 Plant is going to be closing, the Navajo Generating

1 Station is closing. Soon to follow is that in  
2 Springerville and St. Johns and then in Page. And so  
3 the lines that are in question right now soon will no  
4 longer be operable. I mean, there will be no power  
5 flowing through those, because they will be closing  
6 those plants.

7           And so this is one way for us to be able to  
8 keep that power moving, and do it in a very clean,  
9 safe, nonfossil fuel way that is going to provide some  
10 great economic development for Winslow, which is very,  
11 very much needed. We're looking at probably 100-plus  
12 construction jobs to get it going, and then we're  
13 probably looking at anywhere between 15 to 30 regular,  
14 full-time maintenance jobs to keep it productive.

15           Okay. If you've been out, and you'll see the  
16 area out there tomorrow, many of the places where the  
17 towers will go up or the turbines will go up is rock.  
18 And so if they're in rock, they're not going to be  
19 affecting the land. And so, you know, none of the  
20 cattle out there or the elk, they don't eat rock; they  
21 eat grass. And so you know what I'm saying? The  
22 impact is going to be very minimal at best.

23           There's not too many people that live  
24 directly in the area. We have a ranch across Chevelon  
25 to the east, but we don't live out there full-time.

1 There's nobody in our area on the east side of Chevelon  
2 that is opposed to this, as to my knowledge as of  
3 today. And nobody has said anything to us, and we've  
4 been very vocal about this in Winslow and the  
5 surrounding area, and we need that support. This is  
6 exactly the kind of project that we need to be  
7 sustainable in our power, okay. We don't want fossil  
8 fuel anymore; they decided that that's bad. And this  
9 is just another way that we can do that, between solar  
10 and wind.

11 Now, ask me if Winslow has wind. Sometimes  
12 we have 80-, 90-mile-an-hour winds that blow through  
13 there, and sometimes it does blow for months at a time.  
14 You know, these turbines, they have their own brake  
15 zone; and if they get going too fast, they'll slow  
16 themselves down.

17 And so there's plenty of wind over there. I  
18 know that's one cause for concern, where you throw up a  
19 bunch of these towers and they're never going to move  
20 because there's not enough wind. Well, the Snowflake  
21 project has already proved that there's plenty of wind,  
22 okay, so that negates that question, if you will.

23 The other thing is, this Project takes no  
24 water. And so it's not going to at all adversely  
25 affect the Coconino aquifer, it's not going to have any

1    havoc on the LCR water adjudication, any of those  
2    things.  So this is good for us in the City of Winslow;  
3    but I think the better thing, that it's good for us as  
4    a community, as a state, because this is very clean,  
5    it's honest, and I think it would benefit all of us.  
6    And if you have any questions, I'd be happy to answer.

7                   CHMN. CHENAL:  Thank you, Mayor, for your  
8    comments.  Doesn't look like the Committee has any  
9    questions of you.  Thank you very much.

10                   Does anyone else in the audience wish to  
11   provide public comment at this time?

12                   (No response.)

13                   CHMN. CHENAL:  Doesn't look like it.

14                   Well, does the Committee have any questions,  
15   procedural questions, any questions before we turn it  
16   over to Mr. Acken to present the case?

17                   Member Woodall.

18                   MEMBER WOODALL:  Mr. Acken, I understand --  
19   Is it Acken or Acken?  I know we've gone through this  
20   before.

21                   MEMBER NOLAND:  It's Acken.

22                   MR. ACKEN:  Mr. Chairman, Committee Member  
23   Woodall, it is Acken.  But I will say, I take no  
24   offense, because I am the worst at butchering people's  
25   names, and I will do it here today.

1           MEMBER WOODALL: That was no commentary; I  
2 just honestly didn't know. I'd forgotten.

3           MR. ACKEN: Yeah, Acken.

4           MEMBER WOODALL: One of the things that I  
5 would like someone to address -- And I understand, and  
6 we all understand, that certification of the Wind Farm  
7 is not before us because we have no jurisdiction over  
8 it. However, the transmission lines will be operating,  
9 and as we all know, wind power is intermittent. So I  
10 would like to know how the applicant is going to ensure  
11 that we don't have Texas problems when, kaboom,  
12 everything stops.

13           So if you have batteries, if you have backup  
14 or whatever it is, I would appreciate a little  
15 information regarding that as it relates to the  
16 transmission line itself and its reliability.

17           Thank you very much.

18           MR. ACKEN: Thank you.

19           CHMN. CHENAL: Mr. Acken, if you'd like to  
20 proceed with your case, and if you want to begin with  
21 your first panel, you can swear in the witnesses.

22           MR. ACKEN: Thank you, Mr. Chairman. The  
23 applicant calls Terrance Unrein and Jeffrey Nemeth.

24           CHMN. CHENAL: Gentlemen, do you prefer an  
25 oath or an affirmation?

1 MR. NEMETH: Affirmation.

2 MR. UNREIN: Oath.

3 (Jeffrey Nemeth was affirmed by the  
4 Chairman.)

5 (Terrance Unrein was sworn by the Chairman.)

6 CHMN. CHENAL: Mr. Acken, please proceed.

7 MR. ACKEN: Thank you, Chairman.

8

9 JEFFREY NEMETH and TERRANCE UNREIN,  
10 called as witnesses on behalf of the Applicant, having  
11 been previously sworn/affirmed by the Chairman to speak  
12 the truth and nothing but the truth, were examined and  
13 testified as follows:

14

15 DIRECT EXAMINATION

16 BY MR. ACKEN:

17 Q. Mr. Nemeth, please state your name and  
18 business address for the record.

19 A. (BY MR. NEMETH) My name is Jeffrey Nemeth.  
20 My address is 2180 South, 1300 East, Salt Lake City --  
21 I'm sorry, I just moved to Utah, so I'm still  
22 memorizing it -- Salt Lake City, Utah 84108.

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

25 A. (BY MR. NEMETH) I am employed by FTP -- FT

1 Power, LLC, which is the parent company of sPower  
2 Development Company, and the sPower Development Company  
3 is the parent company of the Chevelon Butte RE, LLP --  
4 or, I'm sorry, LLC.

5 Q. And would you provide a summary of your  
6 educational background and work experience?

7 A. (BY MR. NEMETH) Yes. I graduated from  
8 Western Illinois University with an MBA. I've spent  
9 the last 10 years working within the wind industry  
10 and am responsible for developing and building at  
11 least 1 gigawatt of wind farms across the United  
12 States, and I've been responsible for a pipeline of  
13 over 5 gigawatts of wind farms.

14 At sPower, as the director of wind  
15 development, I am responsible for our existing pipeline  
16 of projects, as well as expanding our megawatt capacity  
17 of pipeline and our original footprint within the  
18 United States.

19 MR. ACKEN: And I should have done this at  
20 the outset. Committee, if you want to follow along  
21 with the slides, the slide deck that these witnesses  
22 will be using is marked as CVN 2, and it's in the  
23 supplemental packet.

24 BY MR. ACKEN:

25 Q. Mr. Unrein, please state your name and

1 business address.

2 A. (BY MR. UNREIN) Terrance Unrein, 21 South  
3 80, 1300 East, Suite 600, Salt Lake City, Utah 84106.

4 Q. And by whom are you employed?

5 A. (BY MR. UNREIN) I'm employed by FTP Power,  
6 LLC, which is the parent of sPower Development Company,  
7 LLC. And sPower Development Company, LLC is the direct  
8 parent of Chevelon Butte RE, LLC, being the applicant  
9 today.

10 Q. And please provide a summary of your  
11 educational background and work experience.

12 A. (BY MR. UNREIN) I received a bachelor's  
13 degree in construction management from Colorado State  
14 University, after which I began my career working for a  
15 tribally-owned military contractor working on  
16 environmental remediation and infrastructure  
17 development on military bases. After that, I worked as  
18 a consultant and adviser in both the traditional power  
19 and renewable energy markets. And have since been  
20 working directly in development and permitting of  
21 utility-scale solar and wind projects, where currently  
22 I'm a senior permitting manager with sPower.

23 Q. And what is your role in this Project? And  
24 if you would, maybe pull the microphone just a hair  
25 closer to you. I realize you have to switch back and

1 forth.

2 A. (BY MR. UNREIN) Yep. I'm responsible for  
3 environmental, cultural, and other siting studies in  
4 support of the Project's development, as well as local,  
5 state, and federal permitting of the Chevelon Butte  
6 Wind Farm and Chevelon Butte Wind Gen-Tie Project.

7 Q. And what will you testify about today?

8 A. (BY MR. UNREIN) I'm going to provide various  
9 details regarding the planned Chevelon Butte Wind Farm  
10 and Chevelon Butte Wind Gen-Tie Project in conjunction  
11 with Mr. Nemeth here. I'm also going to provide a  
12 permitting overview, details of our public outreach  
13 plan, and discuss the needs and benefits that we've  
14 identified for this Project.

15 Q. Mr. Nemeth, what was your role in the  
16 Project?

17 A. (BY MR. NEMETH) My role at the Project has  
18 been acting as a lead developer for the Project. My  
19 responsibilities have included coordinating, not just  
20 with Terrance, but with other departments within the  
21 sPower Company to ensure that we continue to move the  
22 Project forward and that we were on a timeline of  
23 meeting the COD that we project.

24 Q. And please provide an overview of your  
25 testimony.

1           A.     (BY MR. NEMETH) Today I'll be discussing the  
2 Chevelon Butte Wind Farm, as well as the Chevelon Butte  
3 Gen-Tie Line.

4           Q.     Let's start, if you would, Mr. Nemeth, and  
5 describe sPower. The Committee has not seen them as an  
6 applicant before, so I think it would be helpful to  
7 take a moment and describe who sPower is.

8           A.     (BY MR. NEMETH) We're great.

9                     (Laughter.)

10           MR. NEMETH: So sPower is a developer, owner,  
11 operator of both wind and solar across the United  
12 States. We are headquartered in Salt Lake City, Utah,  
13 with offices in California and Virginia. We have  
14 roughly 200 employees that work for the company, with  
15 the bulk of them in our Salt Lake City office, working  
16 at all of our operational wind farms -- I'm sorry --  
17 operational wind farms and solar projects across the  
18 United States, as well as in our satellite offices.  
19 The company has over 150 operating projects of both  
20 wind and solar, and we have roughly 13 gigawatts of  
21 projects that are in operation, development, or in  
22 construction right now.

23 BY MR. ACKEN:

24           Q.     What projects do you have in Arizona?

25           A.     (BY MR. NEMETH) So as you can see in

1 Slide 4, we have four different projects that are in  
2 different stages of development or in operation. We  
3 have the 57 megawatt Sandstone Solar Project south of  
4 Phoenix. And then we have two other solar projects,  
5 the Eastline and McFarland projects, that are in  
6 different levels of development now. And then we do  
7 have the Chevelon Butte Wind Farm that we're here  
8 discussing today.

9 Q. For the Committee's benefit, again, even  
10 though we are here seeking a CEC for the Gen-Tie, as  
11 Committee Member Woodall pointed out, we are presenting  
12 testimony regarding the Wind Farm. So it would be  
13 helpful to provide an overview of the Wind Farm just,  
14 if for no other reason, to orient and provide some  
15 context. So if you would do that, please.

16 A. (BY MR. NEMETH) Sure. We have -- The next  
17 couple slides are kind of discussing the Project. But  
18 first off, the Chevelon Butte Wind Farm is located  
19 roughly 27 miles south of Winslow; and that's by  
20 driving, not as the arrow flies. This is roughly also  
21 about 50 miles south of -- I'm sorry -- it should be  
22 southeast of Flagstaff, from where we're at now; and  
23 that's kind of also straight as the arrow flies.

24 This Project is on the Chevelon Butte Ranch,  
25 which is a privately-owned, family-owned ranch there in

1 that area. It consists of roughly 42,000 acres of both  
2 private and State Trust Land. Currently, this Project  
3 is proposed in two different counties, with the bulk of  
4 it being located in Coconino County, and then  
5 approximately 70 turbines and roughly 3 miles of the  
6 Gen-Tie Line will be located in the Navajo County.

7 This Project will be up to 164 different  
8 turbines. Then we would be connecting to the APS  
9 345 kV Preacher Canyon to Cholla line that is on the  
10 eastern part of the Project area.

11 Q. Let's go back to Slide 6, if you would, and  
12 explain that for the Committee.

13 A. (BY MR. NEMETH) Sure. So you guys are the  
14 first to really kind of get to see this in a public  
15 setting. But this is the proposed layout for the  
16 turbine and infrastructure for the Wind Farm as a  
17 whole. We thought, you know, even though we're here to  
18 talk about the Gen-Tie Line, it's hard not to talk  
19 about the Wind Farm too. So we wanted to take this  
20 opportunity to kind of give you an overview of the  
21 Project and what it will consist of and where it will  
22 be inside that Project area.

23 So as I mentioned, we have -- we will be  
24 permitting up to 164 turbines with the two different  
25 counties as far as that goes. This will include access

1 roads and collection lines that would be throughout the  
2 Project. The collection lines are underground and  
3 would be buried a minimum of 3 feet. Those are at 34.5  
4 kilovolts, and those would each go -- each circuit  
5 would go to a Project substation, which I'll talk a  
6 little bit more on the next slide.

7 So as you can see, you know, we are spanning  
8 roughly, from the northwest to the southeast side,  
9 about 15 miles in total length for this Project. This  
10 Project has access through Route 99 as it's coming down  
11 from Winslow, and that is pretty much the sole road  
12 into this area.

13 CHMN. CHENAL: Member Woodall.

14 MR. NEMETH: I'm sorry, say again.

15 CHMN. CHENAL: Periodically, Members of the  
16 Committee will have a question, and I'll just announce  
17 their name. And, yes, it will break up your testimony  
18 somewhat, but that's the way we do it.

19 So, Member Woodall.

20 MEMBER WOODALL: And the reason I'm asking  
21 now is because it looks like -- could you just tell us,  
22 generally, what the status of the permitting is for the  
23 Wind Farm and whether or not you've required any  
24 federal consultations?

25 MR. ACKEN: And Chairman, Committee Member

1 Woodall, that's actually part of Mr. Unrein's  
2 testimony. And with your allowance, I'd like to have  
3 him address that question. I'm happy to do it right  
4 now.

5 MEMBER WOODALL: No, no, no, no. Please  
6 proceed in your orderly fashion. I was just curious  
7 because I was wondering, if you can't get the Wind Farm  
8 permitted, are you going to really need the lines?  
9 That's where I was going with that. Thank you.

10 CHMN. CHENAL: Before you begin, Mr. Nemeth,  
11 one question. Nemeth or Nemeth?

12 MR. NEMETH: It's Nemeth.

13 CHMN. CHENAL: Nemeth. Looks the same when  
14 it's in the cold transcript. Nemeth, okay.

15 MR. NEMETH: Yeah. Just think of your knee  
16 and then a story.

17 CHMN. CHENAL: Okay, that's what I'll do.

18 I noticed in a previous slide that there are  
19 other projects in Arizona with sPower and they're  
20 solar. So the question is: How much experience does  
21 sPower have with wind farms?

22 MR. NEMETH: So we do have two operating wind  
23 farms, and we have a third that is under construction  
24 right now. So we do have experience in developing and  
25 operating Wind Farms across the United States.

1 CHMN. CHENAL: And I think in the previous --  
2 one of the previous slides -- yes, 150-plus projects  
3 owned and operating, 13,000 megawatts. Roughly, how  
4 many megawatts do those wind farms make up out of the  
5 13,000?

6 MR. NEMETH: So the two operating makes up  
7 about 1500 -- I'm sorry -- 150 megawatts, and then we  
8 have a 218 megawatt wind farm that's under construction  
9 right now in South Dakota. And then as far as the  
10 pipeline goes for wind, we have roughly 1500 megawatts  
11 in development across the United States.

12 CHMN. CHENAL: Thank you very much.

13 BY MR. ACKEN:

14 Q. Mr. Nemeth, where are your operating wind  
15 farm projects?

16 A. (BY MR. NEMETH) One is in southern Utah, and  
17 the second would be in Wyoming.

18 Q. Thank you.

19 Next, Mr. Nemeth, if you would, discuss the  
20 Gen-Tie Project.

21 A. (BY MR. NEMETH) So the Gen-Tie Project  
22 itself makes up approximately a 12-and-a-half-mile  
23 345 kV line that stretches from the northwest part of  
24 the Project down to the southeast, where it ultimately  
25 connects to the interconnect into the APS line. It

1 will consist of two Project substations, which, as  
2 mentioned, we would have multiple circuits going into  
3 each substation at 34.5 kilovolts, and then going into  
4 the Project substation, where it will be stepped up to  
5 345 kV. And go along the 345 kV line from  
6 Substation 2, which is in the northwest, to  
7 Substation 1, which is roughly the center of the  
8 Project, and then continue along the 345 line until it  
9 gets to the interconnect substation that would be  
10 either adjacent or near the APS 345 kV line.

11 MR. ACKEN: And Chairman and Members of the  
12 Committee, at this time Mr. Nemeth is just providing a  
13 summary overview, if you will. We will provide  
14 additional information regarding the requested  
15 corridor, including a substation footprint as requested  
16 by Committee Member Woodall.

17 BY MR. ACKEN:

18 Q. Next, I'd like to turn to the needs and  
19 benefits discussion. And for this, this will be --  
20 Mr. Unrein will be testifying. If you would, please,  
21 please discuss the first need and benefit that I  
22 mentioned in the opening.

23 A. (BY MR. UNREIN) So the first need and  
24 benefit that we've identified for these projects is  
25 that they will provide clean, cost-competitive wind

1 energy for the region. Due to advances in turbine  
2 technology, new regions and markets are now being  
3 considered in Arizona for wind energy development that  
4 may have been previously unfeasible due to technology  
5 or other wind resource constraints.

6 The Chevelon Butte Wind Farm is being sited  
7 in one of the best wind resource zones in the state of  
8 Arizona, and will provide clean, cost-competitive wind  
9 energy for decades. This map here is -- this is  
10 publicly available information. This is from the  
11 National Renewable Energy Laboratory, and this just  
12 sort of illustrates, at a high level, some of the best  
13 wind resource zones in the state of Arizona, which the  
14 Chevelon Butte Wind Farm is located in.

15 Q. And the map to which you're referring is  
16 marked for identification as CVN 2, Slide 8; is that  
17 correct?

18 A. (BY MR. UNREIN) Yes.

19 Q. Discuss the next benefit provided by the Wind  
20 Farm.

21 Hold on.

22 CHMN. CHENAL: Excuse me. Member Haenichen,  
23 please.

24 MEMBER HAENICHEN: While we're on the subject  
25 you were discussing, you identified the region where

1 this Project is tentatively going to be put as the best  
2 wind resource in the state of Arizona. Does that same  
3 comment apply to surrounding areas of it; and if so,  
4 how much? What I'm getting at is: Could there be more  
5 capacity than you're proposing?

6 MR. UNREIN: The short answer to that  
7 question is: Yes, there's ample highly beneficial wind  
8 resources in the state of Arizona. And, again, this is  
9 publicly available data right here that kind of shows  
10 some of those better wind resource zones that are near,  
11 you know, Perrin and Dry Lake and some of the other  
12 wind projects.

13 But developers like us also have proprietary  
14 data sets and we collect our own data out in the field  
15 with meteorological instrumentation, so we do  
16 internally have robust wind data sets throughout  
17 northern Arizona that illustrate some of those areas.  
18 But, yes, there's wind development opportunity outside  
19 of the site that we're considering.

20 MEMBER HAENICHEN: So if I heard you right,  
21 on your site you did meteorological studies of the wind  
22 resource?

23 MR. UNREIN: That is correct. Those  
24 commenced in late 2018.

25 MEMBER HAENICHEN: Are you going to share

1 those with the Committee or are they secret?

2 MR. UNREIN: That's confidential business  
3 information.

4 MEMBER HAENICHEN: Thank you.

5 CHMN. CHENAL: Please proceed.

6 MR. ACKEN: Thank you, Chairman.

7 BY MR. ACKEN:

8 Q. Mr. Unrein, please discuss the next benefit  
9 provided by the Project.

10 A. (BY MR. UNREIN) So all of the energy  
11 benefits outlined above can be achieved while producing  
12 no air emissions and using no water. According to the  
13 American Wind Energy Association, as set forth in  
14 Exhibit CVN 9, in 2018 alone, the wind energy capacity  
15 installed in the state of Arizona saved approximately  
16 1.1 billion gallons of water and avoided approximately  
17 2.2 million metric tons of carbon dioxide emissions.  
18 That's equivalent to approximately 8.2 billion bottles  
19 of water and 465,000 passenger vehicles' worth of water  
20 and air emissions savings, respectively.

21 And these figures are predicated off of  
22 Arizona's current installed wind capacity of  
23 approximately 268 megawatts, whereby our Project would  
24 well over double the amount of wind energy capacity  
25 installed in the state and those environmental benefits

1 that I just relayed.

2 Q. And, Mr. Unrein, you referenced CVN 9. But  
3 just to clarify for the record, the American Wind  
4 Energy Association's Arizona analysis has been marked  
5 as CVN 4.

6 A. (BY MR. UNREIN) My apologizes.

7 CHMN. CHENAL: Member Woodall.

8 MEMBER WOODALL: Mr. Unrein, is it fair to  
9 say that all of the environmental benefits that you  
10 have been outlining for us relate to the Wind Project  
11 itself?

12 MR. UNREIN: That's fairly accurate to say.  
13 Because if it wasn't for the Wind Farm, we would not be  
14 building a 12-mile transmission line through this part,  
15 because there's no generating component and it's not  
16 connecting two different load centers or two different  
17 supply centers. So, yes, they're intrinsically  
18 connected, the Wind Farm and the Gen-Tie Line.

19 And I would point you to CVN 8, which is the  
20 Arizona Corporation Commission's Utilities Division  
21 letter. That kind of speaks to this a little bit, just  
22 how these two projects are inherently connected, since  
23 there's no other load or generating resources in this  
24 area.

25 MEMBER WOODALL: Yes, I understand that. My

1 colleagues and I did not speak to them when they  
2 generated this letter, but I did read it when it came  
3 out.

4           What I'm trying to suggest to you is that if  
5 there could be a little more discussion at some point  
6 of why this adds to resilience to the grid,  
7 reliability, just something that's focusing on the  
8 lines themselves.

9           You've done a very good job, and I understand  
10 there's chicken and egg, and I understand that the  
11 wind -- but for the Wind Project, we wouldn't have a  
12 line. But at some point, I would like to hear a little  
13 bit more about that. I'm not -- It would just be  
14 helpful to me.

15           MR. UNREIN: Okay.

16           MEMBER WOODALL: Thank you.

17           MR. UNREIN: Yeah, thank you for your  
18 comment, Committee Member Woodall. And I'll plan to  
19 run through the needs and benefits that we've  
20 identified and that we've been working on, but we can  
21 certainly open up a robust discussion of how this  
22 Project improves the electrical infrastructure in this  
23 region maybe a little later.

24           CHMN. CHENAL: Member Haenichen.

25           MEMBER HAENICHEN: Mr. Unrein, this is a

1 hypothetical question. But if you were to consider the  
2 entire electrical needs of the state of Arizona at  
3 present development, and then compare that to what  
4 would happen if the entire wind resource in the state  
5 were built out, how would they compare? Would it  
6 provide all of the electricity we need or 10 percent or  
7 what?

8 MR. UNREIN: You know, that's a -- that's a  
9 tough -- that's a tough question to answer and, you  
10 know, I'm under oath here and I'm trying to speak  
11 factually instead of just, you know, being a wind  
12 developer in the region with peripheral knowledge.

13 But what I can say is, you know, energy  
14 storage, with wind and solar and energy storage  
15 combined, that I think America's electrical  
16 infrastructure, in the coming decades, you know, has  
17 the ability to be ran purely on solar and wind energy  
18 generation. But I don't have -- I'm not comfortable  
19 and I don't have the specific facts and figures to  
20 speak to Arizona's, you know, current demand and if at  
21 full build-out of Arizona's potential wind resource, if  
22 we could supply the entire state. But what I can say  
23 is, you know, we're kind of on the forefront of a  
24 renewable energy penetration in the United States, and  
25 energy storage is going to be the key to the

1 progression.

2 MEMBER HAENICHEN: I'm just going to bring it  
3 up. Would you agree that without a viable,  
4 cost-effective storage mechanism, it would be hard to  
5 really have all renewable energy resources furnish all  
6 the electricity?

7 MR. UNREIN: It would make it much more  
8 challenging, and it would make natural gas peaker  
9 plants a bigger part of the energy mix without the  
10 ability to store the energy.

11 CHMN. CHENAL: Mr. Unrein, are you going to  
12 discuss in more detail the economic benefits of this  
13 particular Project, or is this the time when I should  
14 ask some questions about that?

15 MR. UNREIN: Yes, Chairman, I will in a  
16 couple slides, and I'm happy to field any follow-ups in  
17 addition to what we'll present.

18 CHMN. CHENAL: Thank you.

19 Member Woodall.

20 MEMBER WOODALL: We've got the Wind Project  
21 and the Gen-Tie Project. So when we're talking about  
22 projects and articulating what benefits are or what's  
23 going to do what, it would be helpful, I think, for  
24 clarity of our record, if we could say which one is  
25 which. For example, if there's going to be a lot more

1 economic development because of the Wind Farm itself,  
2 perhaps we would describe those as the Wind Farm  
3 Project. I just think it will be helpful for the  
4 record, that's all.

5 MR. UNREIN: Understood.

6 MR. ACKEN: Thank you.

7 And some of these questions that we don't  
8 have ready answers for this afternoon, we will  
9 certainly take as homework and do our best to have  
10 answers for you before the hearing is over.

11 BY MR. ACKEN:

12 Q. Mr. Unrein, is there anything else on this  
13 slide that you wanted to discuss, or are you ready to  
14 move to your next benefit provided by the Wind Farm?

15 A. (BY MR. UNREIN) I'm ready to move on to the  
16 next benefit.

17 Q. Please do.

18 A. (BY MR. UNREIN) The property can remain a  
19 cattle ranch, and installation of the wind energy and  
20 transmission facilities will not preclude existing land  
21 uses. One of the unique benefits of wind energy  
22 infrastructure, compared to other forms of renewable  
23 energy, such as solar, is the very small, linear, and  
24 intermittent nature of the infrastructure that's  
25 required to be installed, whereby existing cattle

1 ranching and limited recreation will not be precluded.

2           The Chevelon Butte Wind Farm and the site  
3 that it's going to be located on has been ranched for  
4 well over a century, and this Project can allow the  
5 family to keep working this land and keep this land in  
6 the family as they desire.

7           As it relates to limited recreation on site,  
8 which is generally limited to fall big game hunting in  
9 Arizona's Unit 4A, we are working collaboratively with  
10 the landowner family and the Arizona Game and Fish  
11 Department to implement temporary access restrictions  
12 during construction to allow for worker safety, and to  
13 implement a long-term public access program during  
14 operations. Hunting in and near wind farms is common  
15 practice throughout the western United States.

16           Q.    Next, describe the benefits to State Trust  
17 beneficiaries, and if you can, both with respect to the  
18 Wind Farm and the Gen-Tie.

19           A.    (BY MR. UNREIN)  Yep.  The lease payments  
20 from both the Chevelon Butte Wind Farm and Chevelon  
21 Butte Wind Gen-Tie Project will be made to the Arizona  
22 State Land Department, which goes directly to parcel  
23 beneficiaries, which in our case, and which is common  
24 throughout Arizona, consists of public education and  
25 university beneficiaries.

1           While the specific lease payments to the  
2 Arizona State Land Department are still in process, for  
3 context, at full build-out the Chevelon Butte Wind Farm  
4 will have approximately 50 to 60 turbines installed on  
5 State Trust property. Perrin and Dry Lake, the two  
6 large current operating wind farms in northern Arizona,  
7 have a combined approximate 50 turbines installed on  
8 State Trust Land, according to publicly available  
9 records. So this Project would more than double the  
10 number of turbines installed on State Land in northern  
11 Arizona, and therefore, the benefits to public  
12 education and university funds that I just mentioned.

13           CHMN. CHENAL: Mr. Unrein, so what is the --  
14 what are the amount of the lease payments for those  
15 projects in northern Arizona, to your knowledge?

16           MR. UNREIN: Are you asking about the  
17 monetary value of the current lease payments?

18           CHMN. CHENAL: Yes, sir.

19           MR. NEMETH: We are still working with the  
20 State Land Division on determining what those payments  
21 will be. We are currently negotiating with them, as  
22 well as giving them a site plan for them to review.

23           MR. UNREIN: And to your question, I don't  
24 think we know the exact lease payments that Perrin and  
25 Dry Lake are making right now.

1 CHMN. CHENAL: Can you give just an  
2 approximation? I'm just -- Any idea?

3 MR. NEMETH: Good rule of thumb is:  
4 Typically a turbine would pay between 8- and \$15,000 a  
5 year, is typically what you would see. It's usually  
6 done as a range, because we definitely don't -- the  
7 capacity of each turbine has not been determined on it.  
8 But it would be either set up as a flat fee per  
9 turbine, or it would be set up as like a royalty of the  
10 production off the Project as a whole.

11 So, again, those are -- we are negotiating  
12 with the State. And once we have that, that all does  
13 become publicly available information. We just --  
14 We're not at that stage yet with the State.

15 CHMN. CHENAL: Sure, and thank you. But I  
16 did note that one of the previous slides did discuss  
17 the lease payments as an economic benefit, so I think  
18 the door has been opened, so to speak, on what lease  
19 payments, you know, roughly this Project might  
20 generate, if you will.

21 MR. NEMETH: Understood.

22 CHMN. CHENAL: Member Woodall.

23 MEMBER WOODALL: Okay. So for the private  
24 landowners that are going to have wind turbines, you're  
25 going to be paying them based on power production or

1 just the lease for the land?

2 MR. NEMETH: So our lease agreement with the  
3 landowner is confidential, as far as what their  
4 payments are. There is, you know, different payment  
5 structures in the lease with the land owners, and our  
6 expectation is that it will be very similar to what we  
7 do with the State.

8 MEMBER WOODALL: Okay. And with the State,  
9 is it -- is it based on production, or is it based just  
10 on the value of the land for, like, easement purposes?

11 MR. NEMETH: So a mixture of both. So they  
12 will do an evaluation -- And this is my understanding,  
13 and I may be incorrect. But my understanding is, what  
14 they will do is we will provide them what our footprint  
15 would be for all facilities of the Wind Farm, not just  
16 the turbines on it, and they would provide a valuation  
17 of what those would be. Then we would work with them  
18 on establishing, you know, either as a percentage of  
19 production, or if there would be a minimum flat payment  
20 that would be provided to the State.

21 MEMBER WOODALL: And those are for the  
22 turbines, correct?

23 MR. NEMETH: Well, it would be -- the  
24 production is based off the turbine; however, there are  
25 other infrastructure that would be located on State

1 land, such as the access roads and collection --

2 MEMBER WOODALL: Yes.

3 MR. NEMETH: -- and those would all be part  
4 of the payment number that would be determined.

5 MEMBER WOODALL: I guess what I'm trying to  
6 figure out is where the transmission lines are going.  
7 That's going to be based on a lease agreement; is that  
8 correct?

9 MR. NEMETH: So that would -- Again, with  
10 the private landowner, that's included with their  
11 payment. Then with the State, that would also be  
12 something that is evaluated with the --

13 MEMBER WOODALL: For the line, for the  
14 transmission.

15 MR. NEMETH: Yes, for the Gen-Tie Line  
16 specifically.

17 MEMBER WOODALL: Okay, all right. And so  
18 you've got tentative agreements with some of the  
19 landowners for the lines?

20 MR. NEMETH: So for the private land --

21 MEMBER WOODALL: The lines. I'm just talking  
22 the lines.

23 MR. NEMETH: Yeah. For the private land, we  
24 have all private land agreements in place.

25 MEMBER WOODALL: Okay, gotcha. Thank you so

1 much. That was very helpful, sir.

2 CHMN. CHENAL: I'm still a little confused.  
3 I understand for the turbines the lease payments are a  
4 mixture of cost per turbine, lease payment per turbine,  
5 or based on the production of the turbines. But for  
6 the Gen-Tie Line that's the subject of this  
7 application, what is the cost of -- I mean, is it going  
8 to be a lease payment, or are you buying an easement,  
9 or is it based on -- and if it's a lease payment, what  
10 is it based on?

11 MR. NEMETH: So for the private land, that is  
12 included in the overall payment to the landowners; so  
13 it's more of a rolled-up payment, if you will. And  
14 then with the State land, it would be on their  
15 valuation of what that easement and that infrastructure  
16 would be going across the property.

17 MR. UNREIN: The State Land Department, they  
18 will value every square foot of land that our  
19 infrastructure footprint is contemplated to impact,  
20 whether it's road, collection, Gen-Tie, and they  
21 value all of that. And that -- They'll value that  
22 separately compared to the turbine sites, which, as  
23 we've talked about, are basically predicated off the  
24 greatest of either some set amount or a production  
25 factor.

1 CHMN. CHENAL: Member Woodall.

2 MEMBER WOODALL: So, ultimately, anything you  
3 get from State Land is going to have to go to auction;  
4 is that correct?

5 MR. NEMETH: It does not go to auction.

6 MEMBER WOODALL: It does not have to, okay,  
7 because you're not acquiring free title?

8 MR. NEMETH: That's correct.

9 MEMBER WOODALL: Okay, gotcha. Thank you so  
10 much.

11 MR. UNREIN: And I'll speak about it a bit  
12 more later in my permitting overview, but we're  
13 pursuing a right-of-way with Arizona State Lands  
14 Department as the instrument.

15 MEMBER WOODALL: Have fun.

16 MR. UNREIN: Thank you.

17 MR. ACKEN: Thank you, Committee.

18 BY MR. ACKEN:

19 Q. Mr. Unrein, if you would next discuss the  
20 regional economic impacts; and if you can, address both  
21 the Wind Farm and the Gen-Tie.

22 A. (BY MR. UNREIN) Yeah. So this need and  
23 benefit, again, similar to the others, is going to be  
24 for the combined Chevelon Butte Wind Farm and Chevelon  
25 Butte Wind Gen-Tie Project. But these two projects are

1 expected to bring millions of dollars of economic  
2 impact to not only Coconino County and Navajo County,  
3 but the state of Arizona.

4           During construction of these two projects,  
5 over 200 people are expected to be employed during each  
6 phase of construction. And, again, the Wind Farm and  
7 the transmission facilities combined are expected to  
8 create, at a minimum, 10 to 15 local, full-time,  
9 family-wage positions during the Project's 20-plus-year  
10 operating life.

11           Outside of the local economic impacts  
12 typically realized near rural renewable energy centers,  
13 such as increased property taxes, sales taxes, and  
14 lease payments to rural ranching families, this  
15 Project, again, is also going to be making payments to  
16 the Arizona State Land Department, like we just  
17 mentioned.

18           Furthermore, millions of dollars of local  
19 indirect impacts are expected to result from this  
20 project from local spending during construction and  
21 operation. These indirect economic impacts typically  
22 consist of spending at lodging, grocery stores, diesel  
23 mechanics, tire shops, you name it.

24           And some of the estimates that we've prepared  
25 for these two Projects combined in particular, include

1 over a million dollars in annual local worker payments  
2 throughout the 20-plus-year operating life, at least  
3 \$8 million of indirect local spending during each phase  
4 of construction, and at least a quarter-million dollars  
5 annually of indirect local spending in the nearby  
6 communities of Winslow, Holbrook, Flagstaff, again,  
7 during the Project's 20-plus-year operating life.

8 CHMN. CHENAL: Member Woodall.

9 MEMBER WOODALL: And, of course, there are  
10 different methodologies to calculate indirect benefits,  
11 correct? Which method are you using? I think the  
12 Department of Commerce has one, but I don't know if  
13 anyone else has one. That could be a long time ago.  
14 So just tell us which think tank government methodology  
15 you used to calculate these benefits, please, sir.

16 MR. UNREIN: Sure. So we used the National  
17 Renewable Energy Laboratory's JEDI Model, which is a  
18 common model that NAU here uses, that they've used in  
19 the past, and it's a modeling capability that we've  
20 done in the past. So what we do is we modeled out all  
21 the economic impacts through the National Renewable  
22 Energy Laboratory's JEDI Model, and we then refined  
23 those estimates based on our actual experience building  
24 large wind farms in the western U.S. And all of these  
25 numbers are -- they're very conservative, otherwise we

1 wouldn't be illustrating them here.

2 MEMBER WOODALL: So it's basically a custom  
3 product for this particular Project, is that fair to  
4 say, because you're tinkering with it as well?

5 MR. UNREIN: Yeah, I would say it's a hybrid  
6 of our experience and the National Renewable Energy  
7 Laboratory's modeling analysis.

8 MEMBER WOODALL: Thank you.

9 BY MR. ACKEN:

10 Q. Mr. Unrein, if you would, summarize the  
11 benefits provided by the Wind Farm and the Gen- --  
12 well, let's start with primarily the Wind Farm.

13 A. (BY MR. UNREIN) Do you want me to summarize  
14 those benefits before we identify the last need and  
15 benefit?

16 Q. I'm getting ahead of myself. Yeah, let's go  
17 to one -- one more important need and benefit provided  
18 by the Project. Thank you.

19 A. (BY MR. UNREIN) So the last need and benefit  
20 for this Project that we've identified, and one that we  
21 are very keen to discuss, is that most of the benefits  
22 outlined above are located in the state of Arizona.  
23 And that may seem like a novel or an obvious fact to  
24 point out, but it is indeed unique, and we'll explain  
25 why.

1           Currently, out-of-state wind farms sell and  
2 transmit power to Arizona utilities from other states,  
3 such as New Mexico. Under this scenario, Arizona still  
4 benefits from clean, cost-competitive renewable energy,  
5 but it misses out on the millions of dollars of  
6 economic impact that we just illustrated.

7           Our planned Chevelon Butte Wind Farm will  
8 provide clean, cost-competitive wind energy, all while  
9 being located right here in the state of Arizona and  
10 creating numerous jobs and economic impacts throughout  
11 its 20-plus-year life cycle.

12           We are actively participating in APS's recent  
13 RFP, in which it is actively seeking to add up to 250  
14 megawatts of additional wind energy to its energy  
15 portfolio. And the Chevelon Butte Wind Farm and  
16 Chevelon Butte Wind Gen-Tie Project are ideally suited  
17 to meet APS's need of additional wind capacity, again,  
18 while being located right here in the state.

19           We are excited about APS's recent RFP, we are  
20 confident in our ability to meet the obligations that  
21 will be set forth in our response, and we hope that APS  
22 and other local and state decision-makers agree and  
23 recognize the benefit of in-state wind energy for the  
24 state of Arizona.

25           CHMN. CHENAL: Mr. Unrein, how many megawatts

1 is produced by wind now in Arizona?

2 MR. UNREIN: According to the American Wind  
3 Energy Association, 268 megawatts. And that  
4 number includes some smaller like distributive  
5 projects, so that's why I'm saying that's the American  
6 Wind Energy Association's. Our recognition of the  
7 three large wind projects in northern Arizona is a bit  
8 smaller.

9 CHMN. CHENAL: So, roughly, the RFP that is  
10 on CVN 2, Slide 13 discusses renewable energy -- well,  
11 it's solar and wind, I see, to expand to 2500.

12 MR. UNREIN: Their wind -- So this RFP was  
13 announced September 12th, just last week, and our full  
14 team is still pouring through it. But there is a  
15 dedicated 250 megawatts of wind capacity, and then  
16 there's a separate solar capacity that, I may be off  
17 here, but I'm going to say it's 100 to 150 megawatts of  
18 solar. But they're two separate RFPs. So APS is  
19 effectively seeking to double its -- its amount of wind  
20 capacity.

21 BY MR. ACKEN:

22 Q. Now, Mr. Unrein, summarize the needs and  
23 benefits.

24 A. (BY MR. UNREIN) So, in summary, these six  
25 needs and benefits portray the economic and

1 environmental advantages of, again, the combined  
2 Chevelon Butte Wind Farm and Chevelon Butte Wind  
3 Gen-Tie Project.

4           And in quick summary, they include: One,  
5 providing clean, cost-competitive renewable energy for  
6 the region; two, achieving all that energy while  
7 emitting no air pollution and using no water; three,  
8 the Project will not preclude existing land uses; four,  
9 we will be making robust payments to the Arizona State  
10 Land Department; five, millions of dollars of economic  
11 impact to the local and state economy; and six, this  
12 Project allows Arizona to, again, build its own large  
13 wind farm right here in the state.

14           Q.    And before we move on, you mentioned earlier  
15 CVN 8.  If you would turn to that document.  Do you  
16 have that in front of you in the supplemental packet?

17           A.    (BY MR. UNREIN)  Yes, sir.

18           Q.    Could you identify that for the record?  The  
19 supplemental packet.

20           A.    (BY MR. UNREIN)  This is CVN 8, the Hearing  
21 Exhibit CVN 8 in the supplemental packet before us  
22 today.

23           Q.    Is this a letter dated September 4th, 2019?

24           A.    (BY MR. UNREIN)  Yeah, it's a letter dated  
25 September 4th, 2019.

1 Q. And who was the signatory on the letter?

2 A. (BY MR. UNREIN) Elijah O. Abinah, the  
3 director of the ACC Utilities Division. And I probably  
4 mispronounced that name.

5 MEMBER WOODALL: It's Abinah. Abinah.

6 MR. UNREIN: Abinah, okay. Apologies.

7 BY MR. ACKEN:

8 Q. And if you would, briefly describe the  
9 purpose of Mr. Abinah's letter. What was the genesis  
10 of him providing this letter, do you recall?

11 A. (BY MR. UNREIN) So I believe this is the ACC  
12 Staff's response to Chairman Chenal's request for their  
13 input on this case. And in this letter, they discuss  
14 some of -- you know, some of the points that Committee  
15 Member Woodall has raised today and some of the stuff  
16 we've talked about, how, you know, the Wind Farm and  
17 the Gen-Tie Project are somewhat interconnected to  
18 provide, you know, transmission capacity for delivery  
19 of this renewable energy in the region.

20 The author of the letter does -- you know,  
21 their first key conclusion is the Staff believes the  
22 proposed Gen-Tie Project has the potential to improve  
23 some aspects of the reliability, resilience, and safety  
24 of the grid, as well as delivery of power in Arizona.  
25 And they do go on to talk about some of -- you know,

1 likely some of the benefits that we've touched on  
2 today.

3 Q. Thank you.

4 CHMN. CHENAL: Member Woodall.

5 MEMBER WOODALL: You had to file a 10-year  
6 plan for this Project, did you not?

7 MR. UNREIN: That is correct.

8 MEMBER WOODALL: Okay. And in your 10-year  
9 plan, did you describe the benefits of the Project?

10 MR. UNREIN: No, we did not.

11 MEMBER WOODALL: Okay. So do you have any  
12 other evidence, with respect to the benefits of the  
13 transmission line, other than Staff's recommendations,  
14 which are -- I assume Mr. Acken will be introducing as  
15 an exhibit? Is that -- Is that all you have on  
16 reliability? I'm not suggesting it's not enough. I  
17 just want to know, do you have anything independently  
18 that you can add to Staff's analysis here?

19 MR. UNREIN: Is your question specifically  
20 stated towards just the broader needs and benefits of  
21 this Project, or are you talking about specifically --

22 MEMBER WOODALL: The line.

23 MR. UNREIN: -- you know, electrical  
24 infrastructure and reliability?

25 MEMBER WOODALL: Yes, yes, that is my

1 question, because we don't care about the Wind Farm. I  
2 mean, we do, obviously, but right now I'm just asking  
3 if you have any other evidence with respect to the  
4 benefits to the transmission system that the  
5 transmission line Project would build, other than  
6 Staff's letter here?

7 MR. UNREIN: Yeah, give me one second.

8 MEMBER WOODALL: And it's okay if you don't.  
9 I just need to know.

10 MR. ACKEN: Chairman Woodall -- or, Chairman  
11 Woodall, if you flashback to 10 years ago. If I may,  
12 before we go on, I think what I would propose to do is  
13 we'll continue with the presentation. On a break we'll  
14 see -- give them an opportunity to think it through,  
15 because there's more to the story that we can provide,  
16 and we'd like to make sure that we do so in a coherent  
17 way for you.

18 MEMBER WOODALL: I just wanted to know, did  
19 anyone from the Project confer with Staff via e-mail or  
20 telephone?

21 MR. UNREIN: On the --

22 MEMBER WOODALL: On the line, just the line.

23 MR. UNREIN: Yeah, we've been working with  
24 APS for over a year.

25 MR. NEMETH: Wait, are you referring to

1 your --

2 MEMBER WOODALL: Yeah, I'm sorry. When I say  
3 "Staff," I beg your pardon, I mean Staff of the Arizona  
4 Corporation Commission. So have you called them? Have  
5 they called you? Has there been written  
6 correspondence? Have there been e-mails?

7 MR. NEMETH: I have not communicated with  
8 them.

9 MEMBER WOODALL: Okay, I just want to know.  
10 Because I'm not permitted to talk to the people who  
11 work in my building because I'm on the Committee, so  
12 thank you very much.

13 CHMN. CHENAL: We have a few questions here,  
14 Member Hamway and then Member Drago, and then I think  
15 maybe we'll answer those and maybe consider taking a  
16 break.

17 MEMBER HAMWAY: So I'm assuming that the  
18 power that's generated from the Wind Farms has to be  
19 sold, because this isn't privately owned. So what  
20 comes first? Does -- Do you have to sell the power  
21 that the Wind Farm is going to generate before you'll  
22 build the Gen-Tie, or how does all that work together?

23 MR. NEMETH: So our intent and part of our  
24 business model within sPower is that we typically do  
25 not build a project unless we have an off-taker for the

1 power, and typically that would be through a power  
2 purchase agreement. So obviously, you know, we've been  
3 actively marketing this Project, as well as we will be  
4 submitting a response to the APS RFP for the 250  
5 megawatts of wind power.

6 So, yes, we do want to have that prior to us  
7 building. I'm not going to say it's -- it wouldn't  
8 happen without it. But the likelihood of us building  
9 without a PPA is much more slim than if we have one.

10 MEMBER HAMWAY: Okay, thank you.

11 CHMN. CHENAL: Member Drago.

12 MEMBER DRAGO: Mr. Unrein, I've got a  
13 question about the reference for the emissions  
14 calculations, the air emissions.

15 MR. UNREIN: Yes.

16 MEMBER DRAGO: Did that data, the actual  
17 emissions data for Arizona, come from this source here  
18 at the bottom left?

19 MR. UNREIN: Yes, sir, it did. And we have  
20 some other estimates that we've used, like EPA's  
21 greenhouse gas emissions calculator. But, yes, what's  
22 been cited in this testimony is directly from the  
23 American Wind Energy Association.

24 MEMBER DRAGO: And then, so they had the most  
25 recent actual emissions that are generated in Arizona,

1 and then you took the offset from wind power?

2 MR. UNREIN: Yes. In discussing -- You  
3 know, before we used this fact sheet in today's  
4 testimony, we did discuss, you know, generally what was  
5 done. And, you know, I could have gone through and  
6 back-checked and calculated myself; but in discussions  
7 with them, yeah, they used Arizona's current, you know,  
8 energy mix, which is a combination of a little bit of  
9 social -- or, sorry -- quite a bit of solar, a little  
10 bit of wind, gas, and coal, and used that to calculate  
11 the avoided emissions, yes.

12 MEMBER DRAGO: Thank you.

13 CHMN. CHENAL: And, Mr. Unrein or Mr. Nemeth,  
14 how does this Project relate to the RFP that APS  
15 pitched? Could you just describe how this relates to  
16 that?

17 MR. NEMETH: I guess they are two separate  
18 things. You know, the Wind Farm, we've been developing  
19 it now for the last year plus; we only learned of APS's  
20 RFP that would be coming out within about 30 days ago.  
21 So obviously, you know, this is a great opportunity for  
22 the Wind Farm on it, but I guess I would say that they  
23 were not previously connected in any way.

24 CHMN. CHENAL: But could this be -- I mean,  
25 I don't really understand how the RFP relates. It

1 seems like this Project was well underway, and then APS  
2 did a, you know, RFP for a wind project. Is it  
3 possible that you'll respond to that RFP with this very  
4 Project?

5 MR. NEMETH: Yes, sir. That is our intent,  
6 to respond to the APS RFP for this Project.

7 CHMN. CHENAL: That explains it then. Thank  
8 you.

9 We're close to the 90 minutes where we would  
10 normally take a break. It just seems like this would  
11 be a good time to take a 15-minute break, discuss the  
12 issues you mentioned, Mr. Acken, and then we can  
13 reconvene in 15 minutes. Thanks.

14 (A recess was taken from 2:23 p.m. to  
15 2:47 p.m.)

16 CHMN. CHENAL: All right. Welcome, everyone.  
17 Let's resume the hearing after our afternoon break.

18 Do any of the Committee Members have any  
19 questions or matters they'd like to raise before we  
20 turn it over to Mr. Acken?

21 (No response.)

22 CHMN. CHENAL: Okay, Mr. Acken.

23 MR. ACKEN: Thank you, Chairman. We do want  
24 to take a swing at addressing the questions raised by  
25 Committee Member Woodall and Committee Member Haenichen

1 regarding reliability interconnection for the Gen-Tie.

2 What we propose to do is to do that in the  
3 context of the presentation. Mr. Nemeth, in a little  
4 while, will be discussing the interconnection from a  
5 physical standpoint as well; and so that would be our  
6 proposal, to address it at that time.

7 CHMN. CHENAL: No problem.

8 MR. ACKEN: Thank you.

9 BY MR. ACKEN:

10 Q. So we're going to turn to the next area of  
11 testimony and go into more detail about the Gen-Tie  
12 Project itself, the location, landownership,  
13 jurisdiction, requested right-of-way, and provide a  
14 virtual tour.

15 So, Mr. Unrein, if you would, please orient  
16 the Committee with respect to the Project's features,  
17 ownership, and jurisdiction.

18 A. (BY MR. UNREIN) Sure. Test. Yeah. So  
19 before getting into the details of our proposed route,  
20 for orientation context, to the north of our overall  
21 Project boundary is a mixture of Hopi Trust and State  
22 Trust Land, with State Trust parcels shown in light  
23 blue on this map, and to the south, shown in green on  
24 this map, is Apache-Sitgreaves National Forest.

25 And land crossed by the Gen-Tie Line is --

1 the land consists of unoccupied range land, both  
2 private -- it's a checkerboarded pattern of both  
3 private and State Trust parcels, again, with State  
4 Trust parcels shown in light blue on this map. All of  
5 the private land is located on what is, again, commonly  
6 referred to as the Chevelon Butte Ranch, owned by a  
7 single extended landowner family. And of the total  
8 approximate 12-mile length of the Gen-Tie Line,  
9 approximately 3.3 miles is located on State property.

10 Q. And for the record, Mr. Unrein is referring  
11 to the map that is identified as Slide 15 to CVN 2.

12 Mr. Unrein, did sPower provide a virtual  
13 Google Earth tour?

14 A. (BY MR. UNREIN) Yes, we did. And the person  
15 operating the slide deck, I'll tell you when to go.  
16 But, yes, we did produce a virtual tour using Google  
17 Earth. And if we could hold questions until the end,  
18 that would be great. And we are going to run through,  
19 and what I'll do is I'm going to quickly point out  
20 where we're cruising as we're cruising through, and our  
21 slide deck operator can go back.

22 So if you see something, maybe try to note  
23 down, hey, what is that at 1 minute; I think it's an  
24 approximate 2-minute tour. But I'm going to run  
25 through it quick, and we can move the animation back.

1           So at this time, yeah, we're going to show  
2 you a virtual tour.

3           CHMN. CHENAL: So we'll be flying from the  
4 northwest in a southeast direction; is that correct?

5           MR. UNREIN: Yes, sir. Yeah. We're going to  
6 start at Substation 2.

7           And, Jack, yeah, why don't you go ahead and  
8 launch it, please.

9           And it will give you the overall picture of  
10 the site before we -- before we start flying.

11           So we're going to start at Substation 2 in  
12 the northwest corner of the site, and we're going to  
13 travel southeast. So zooming in now, this is our  
14 requested footprint for Substation 2. We're going to  
15 begin moving southeast, and all of the light-colored  
16 lines are just interior access roads. Again, this has  
17 been a cattle ranch for over a century, so there's  
18 quite a few roads traversing the site. I'll point out  
19 the public notable roads when we get there.

20           But we're passing some cattle infrastructure  
21 now. More roads. And now we are coming along the  
22 north slope of Chevelon Butte itself. There are a few  
23 old, unoccupied structures, like that right there, on  
24 the ranching property. We're still on the north side  
25 of Chevelon Butte, and we are entering the area of

1 Substation 1.

2 As you can see, it's a very remote and  
3 unpopulated area with very few existing structures and  
4 no full-time on-site residents where we're at right  
5 now. This is the footprint for Substation 1.

6 And now we're going to continue to the  
7 southeast. Here we are passing State Route 99 right  
8 now, and we are going to pass another interior ranch  
9 road. And then we are coming upon Road 504 right now,  
10 which is basically the only other publicly accessible  
11 road that traverses the site. There's 504.

12 Continuing southeast, now we are nearing the  
13 Coconino County/Navajo County line. You'll see it  
14 right about here, turquoise colored. Passing some more  
15 ranch roads, and now we are entering the area of  
16 Chevelon Canyon and both of the switching station  
17 options.

18 So you'll see a dramatic topographic drop-off  
19 here. And the western switching station option would  
20 be right here where it's labeled, and then our Gen-Tie  
21 Line would span this canyon. It is an approximate  
22 300-foot-deep canyon, with Chevelon Creek at the  
23 bottom, and this canyon is crossed -- some of its  
24 tributaries are crossed right in this area by the APS  
25 lines, the existing APS lines. And here is our eastern

1 switching station option, and those black lines are the  
2 existing APS lines.

3 So that is the entirety of the route. I'm  
4 happy to zoom -- to go back if we missed anything or  
5 play it again.

6 MEMBER HAENICHEN: Mr. Chairman.

7 CHMN. CHENAL: Member Haenichen.

8 MEMBER HAENICHEN: Mr. Unrein, can you help  
9 the Committee Members understand how the energy comes  
10 from -- oh, I forgot the button -- how the energy comes  
11 from each individual windmill to these substations.  
12 Does each windmill have its own line or are they put in  
13 a series or what?

14 MR. UNREIN: Yeah. So each wind turbine has  
15 a 34.5 kV collection line, that will typically be  
16 buried underground, all feeding to the collector  
17 substation, where the voltage is increased from 34.5 to  
18 345. So, yes, every turbine will have underground  
19 electrical lines all feeding to those two different  
20 collector substations.

21 MEMBER HAENICHEN: And then when they reach a  
22 substation, are they all hooked together first and then  
23 go into the transformer?

24 MR. UNREIN: Yes.

25 MEMBER HAENICHEN: How is that connection

1 done?

2 MR. UNREIN: Yeah.

3 MR. NEMETH: I honestly do not know, at that  
4 point, on whether it comes into one single line and  
5 then goes into the transformer, or if they have  
6 different bays going into the transformer.

7 MEMBER HAENICHEN: Okay. It's not important,  
8 so don't bother trying to figure it out.

9 CHMN. CHENAL: Member Drago.

10 MEMBER DRAGO: Yeah, thank you for that.

11 Question is: When you have to install the lines there,  
12 are you going to have to do a dredge and fill permit  
13 with the Army Corps when you get near the creek? Am I  
14 jumping ahead on an EIS review?

15 MR. UNREIN: No, I'm comfortable answering  
16 that.

17 So we intend to span any jurisdictional  
18 waters of the United States. And we have already  
19 completed the field work for that very thorough  
20 investigation, and we will span those drainages, so a  
21 pole on either side. They're a pretty narrow width,  
22 you know, just a lot of narrow intermittent drainages  
23 throughout the site, so we're very confident on being  
24 able to span those.

25 And we will be cross -- The only area where

1 we will be impacting some drainages is with roads and  
2 collection, and we are very confident that we will  
3 qualify for nationwide permits from the U.S. Army Corps  
4 of Engineers, and therefore, not be subject to the  
5 National Environmental Policy Act. And I can speak a  
6 little bit more about the NEPA nexus in a few moments.  
7 But we are very confident that, based on our estimates  
8 and the survey work that has been completed to date,  
9 that we're going to qualify for nationwide permits.

10 MEMBER DRAGO: Thank you.

11 CHMN. CHENAL: Yes, Mr. Unrein, I think that  
12 would be important to get into some detail there,  
13 because, I'm speaking for myself, I'm not as versed  
14 with NEPA, for example, as to why this Project is  
15 exempt from NEPA versus other projects that impact --  
16 implicate NEPA. So going into that in some detail I  
17 think would be important.

18 Also, the manner of spanning I think is  
19 important because, you know, we've had cases in the  
20 past where -- you know, I'm thinking of SunZia, where  
21 we were in sensitive areas. And our statutes do allow  
22 us to focus a little more intently on, you know -- I  
23 don't have the language in front of me, but the more  
24 sensitive areas.

25 And the span of Chevelon Creek may qualify as

1 that, so I think we want a little more detail. I mean,  
2 towers are towers; but when you're spanning something  
3 like this, I think we need to have a little more  
4 explanation to that.

5 MR. UNREIN: Okay, Mr. Chairman. And, yeah,  
6 we can -- If it's okay with you, my personal  
7 preference would be to wait on the NEPA discussion for  
8 just a little bit, if that's okay.

9 CHMN. CHENAL: Oh, sure. Do it in the order  
10 that suits you best.

11 MR. UNREIN: Okay.

12 CHMN. CHENAL: That just is something that I  
13 think should be addressed in the course of the  
14 applicant's presentation.

15 MR. UNREIN: Okay. And with -- Oh, sorry.

16 CHMN. CHENAL: Member Haenichen.

17 MEMBER HAENICHEN: This may be the wrong  
18 time, so you tell me. But in the application, there's  
19 reference to a bunch of different kinds of permits:  
20 Conditional permit, a permitted use, and a special use  
21 permit. So when is the appropriate time, when can you  
22 tell me what they all mean?

23 MR. UNREIN: Yes, Committee Member. If it's  
24 okay with you, in just a couple of slides, maybe five  
25 or six slides down in the presentation, I'll provide a

1 robust discussion of those.

2 MEMBER HAENICHEN: Thank you.

3 MR. UNREIN: And as it relates to spanning,  
4 we can definitely have a more robust discussion on  
5 that. I will note that we have an approximate  
6 1,000-foot span length on this 345 kV line. And  
7 because of that 1,000-foot length between tower  
8 structures, we're very confident that we're going to be  
9 able to span not only all of the jurisdictional waters  
10 of the United States, which are not nearly that wide in  
11 this area, but also all of the cultural resources we've  
12 identified.

13 So it's been a very exhaustive, iterative  
14 process for us in our survey work and our design, but  
15 again, we're very confident that the footprints of our  
16 poles are going to be able to avoid jurisdictional  
17 waters of the United States, cultural resources,  
18 et cetera.

19 CHMN. CHENAL: As luck would have it, a week  
20 ago today I was flying in an aircraft right over that  
21 exact area. And I can tell you, from about a thousand  
22 feet off the deck, it looked pretty impressive as a  
23 canyon.

24 MR. UNREIN: Yeah, both Clear Creek Canyon to  
25 the northeast and Chevelon Canyon right here are very

1 picturesque, beautiful canyons.

2 CHMN. CHENAL: It seemed pretty wide.

3 MR. UNREIN: Yeah.

4 BY MR. ACKEN:

5 Q. Mr. Unrein, turning back to the slide  
6 presentation, CVN 2, Slide 17, I'd like you next to  
7 describe the requested corridor and right-of-way for  
8 the Project.

9 A. (BY MR. UNREIN) Sure. A single  
10 500-foot-wide corridor in which to place a  
11 150-foot-wide right-of-way is being sought, because the  
12 entirety of the planned corridor is either located on  
13 private property, for which site control has already  
14 secured, or is located on State Trust Land, for which  
15 we're actively working with the Arizona State Land  
16 Department on a long-term right-of-way.

17 As depicted here, the area near the switching  
18 station options in Chevelon Canyon that we were just  
19 talking about gradually expands to a maximum width of  
20 approximately 1300 feet to, again, provide optionality  
21 for both of the switching station options being  
22 considered by APS. It's noteworthy --

23 CHMN. CHENAL: Member Noland.

24 MEMBER NOLAND: Mr. Chairman, I'm having a  
25 little trouble determining where it gradually widens to

1 1300 feet. Do you have a pointer to show me, please?

2 MR. UNREIN: Yes, I do. And, again,  
3 gradually is somewhat of a subjective term, so I can  
4 show you where it's at. But right here, that's going  
5 to be the consistent 500-foot-wide corridor. And then  
6 right here, right near the west switching station  
7 option, it increases to a maximum width of  
8 approximately 1300 feet, and that maximum width is  
9 approximately right here. And that's to allow for  
10 different -- different Gen-Tie spans crossing the  
11 canyon, which are based on each switching station  
12 option.

13 And it's key to note that all of the property  
14 east of Chevelon Canyon is State Trust Land. And this  
15 is shown -- This corridor is shown on CEC Application  
16 Figure A-2, and in today's Exhibit CVN 9.

17 MEMBER NOLAND: Mr. Chairman.

18 CHMN. CHENAL: Member Noland.

19 MEMBER NOLAND: We'll probably have a little  
20 bigger discussion of this a little later, but I need to  
21 have something more defined than gradual. That is a  
22 little too squishy for me to put my finger on. So  
23 think about it. I'd rather see, from this point it's  
24 1300 feet to this point, and then 500 feet to this  
25 point where it abuts the 13 or 15 -- or, 1300 feet.

1 Thank you.

2 MR. UNREIN: Understood. And for what it's  
3 worth, it is the last approximate 1 mile, 1 mile where  
4 that transition occurs, but noted.

5 MR. ACKEN: Chairman Chenal and Committee  
6 Member Noland, in our CEC we mirrored it off of what  
7 the Committee approved in the SunZia case, where we had  
8 a similar situation where we had to expand the  
9 corridor. But we will, you know, take your notes and  
10 review that again and see if we can tighten up that  
11 language, so thank you.

12 MEMBER HAENICHEN: Mr. Chairman.

13 CHMN. CHENAL: Member Haenichen.

14 MEMBER HAENICHEN: Mr. Unrein, did I  
15 correctly deduce from your testimony so far that the  
16 decision on which switching station that will  
17 ultimately be used is up to APS?

18 MR. UNREIN: That is correct.

19 MEMBER HAENICHEN: Thank you.

20 CHMN. CHENAL: Member Woodall.

21 MEMBER WOODALL: I understand now why you  
22 don't have a detailed legal description, because you  
23 have an agreement with the owner that you can put the  
24 transmission line in the corridor that you require, and  
25 the Land Department is going to be very specific about

1 that. So I understand now why you don't have the  
2 detailed information that I would normally look to in a  
3 CEC.

4 And under these particular circumstances,  
5 since you do have an agreement with the private  
6 landowner and you will be negotiating with the Land  
7 Department, who will know precisely where this is going  
8 to be, I have to say that I no longer have the same  
9 concerns that I initially expressed to Mr. Acken.  
10 Which is not to say that if you can, you know, try to  
11 shine this up a little, it wouldn't -- it would be  
12 appreciated. But I don't have the concerns I had  
13 initially. Thank you.

14 MR. ACKEN: Thank you.

15 CHMN. CHENAL: I do think it's part of our  
16 job as a Committee to make sure that the CEC is as  
17 specific as reasonably possible with regard to where  
18 the corridor is going to be located. So I still think,  
19 Mr. Acken, that it would be a worthwhile exercise to  
20 tighten up that -- you know, the transition areas, for  
21 example, to address Member Noland's questions, and just  
22 how we -- what Exhibit A is going to look like on this  
23 CEC.

24 MR. ACKEN: Understood, Mr. Chairman. Thank  
25 you all for your comments, and we will certainly have

1 that as a homework item for tonight.

2 If there are no further questions.

3 (No response.)

4 BY MR. ACKEN:

5 Q. Mr. Nemeth, would you please describe the  
6 typical tower structures.

7 A. (BY MR. NEMETH) Yes. As seen here in  
8 Slide 18, is a standard tower structure that we would  
9 be considering to use here at the Chevelon Butte  
10 Gen-Tie. This is a steel monopole tower in which we  
11 would string the 345 kV line. I believe it's Exhibit G  
12 in your -- in the application in which we have proposed  
13 other types of poles that we could be using for the  
14 site; however, I do want to stress that the steel  
15 monopole is our preferred pole to use. We only ask for  
16 the optionality, depending on what comes back on either  
17 through a cultural or a geotech study, in which we may  
18 need to consider a different type of pole in  
19 constructing of the Gen-Tie Line.

20 Q. Next, describe the substations.

21 A. (BY MR. NEMETH) So in Slide 19 we have a map  
22 showing the two Project substations, Substation 2,  
23 which is in the northwest part of the Project, and  
24 Substation 1, which is in the approximate middle.

25 We've discussed that each of the turbines

1 will be on different circuits. Estimated 16, 17  
2 different circuits would be used for this Project, with  
3 each circuit being a 34.5 kV line that would be  
4 underground to those substations.

5 Each one of these substations, it would  
6 consist of a step-up transformer that would step up the  
7 power from 34.5 kV to 345 kV, which is what the APS  
8 transmission line is that we are in interconnecting  
9 into.

10 I know previously there was questions on why  
11 we had larger acreages proposed for that. I would like  
12 to point out that, you know, right now we do expect  
13 that each one would be approximately 5 acres is what  
14 would be used. However, when we started this process,  
15 what we did is we identified a larger footprint to  
16 allow for any cultural or any other site  
17 characteristics; that would give us the flexibility in  
18 siting those locations.

19 CHMN. CHENAL: Mr. Nemeth, one question. I  
20 think you had indicated earlier that most of these  
21 turbines will be located on rock. I think I heard --

22 MEMBER HAMWAY: That was the Mayor who said  
23 that.

24 CHMN. CHENAL: Oh, was it the Mayor who said  
25 that?

1 I guess that's my question, then. I keep  
2 hearing about these underground collector lines, and  
3 I'm thinking that's going to be quite a project to, you  
4 know, blast the rock to put these cables underground.

5 MR. NEMETH: Yes, the Mayor did mention that  
6 all the turbines were actually on rock. One of the  
7 things our company will do further into this process is  
8 that we will do a geotech for each of the turbine  
9 locations to determine the soil type. Normally, I  
10 would say water table, but I don't think there is one  
11 out here; or if there is, it's so deep it doesn't  
12 matter for this design. So we would design the type of  
13 turbine foundation depending on the soil type and the  
14 rocks, obviously, found.

15 As far as us going in for the underground  
16 collection lines, one of the things we would do is we  
17 would do a -- sorry, I forgot the first part of it --  
18 but basically a soil resistivity to determine like, you  
19 know, if we need to add in any type of fill or anything  
20 else along with that underground collection line.

21 But we understand, you know, that there are a  
22 lot of rocks out there. We've spoken with the family,  
23 and there will be some challenges from a construction  
24 standpoint out there. One of the things we do plan to  
25 do is, within the next month or so, we will actually

1 have a construction company doing a site visit with us  
2 to evaluate what would be some of the challenges and  
3 basically finishing the design and construction of the  
4 Project.

5 CHMN. CHENAL: Thank you.

6 MR. NEMETH: You're welcome, sir.

7 BY MR. ACKEN:

8 Q. Mr. Nemeth, describe how the Project may be  
9 constructed in phases. And when I'm referring to the  
10 Project here, I'm referring to both the Gen-Tie and the  
11 Wind Farm.

12 A. (BY MR. NEMETH) Okay. In my experience,  
13 it's not often that you're able to find or sign a PPA  
14 for a full 477 megawatts. Ideally, I would love to be  
15 able to do that and be able to build this in one phase;  
16 however, what we've done is we've taken into  
17 consideration that the likelihood of building it all at  
18 once is not as likely as building it in phases.

19 So what we have now done, and part of this is  
20 making the assumption of the fact that APS has asked  
21 for a 250 megawatt project, is that we have designed it  
22 to be able to be done in phases, hence, the reason why  
23 there are two Project substations versus one.

24 And so this map on Slide 20 depicts what  
25 would be the Phase One, which is -- if you look at the

1 slide, you can see from the interconnection, as part of  
2 Phase One obviously we'd have to build the  
3 interconnection substation, and then we would build the  
4 Gen-Tie Line, which is approximately 7 miles from the  
5 interconnect to the Project substation, in this case  
6 Project Substation 1. So the first phase would be  
7 what's highlighted in green on this map.

8           And when Phase Two is built, that would be  
9 what's covered in blue on this map, and which it would  
10 go from Substation 1 to the northwest corner of the  
11 Project to Substation 2.

12           So if we were only to build the first phase,  
13 or the first 250 megawatts of this Project, everything  
14 in green is what you would see built at that time. And  
15 then when we would come forth with a second phase, it  
16 would be everything in the light blue.

17           Q.    Next, describe the options to interconnect  
18 the Project with APS's transmission system. And during  
19 this discussion, we'll also address the reliability  
20 questions as well.

21           A.    (BY MR. NEMETH) So as you see here on the  
22 map on Slide 21, we have two boxes that have been  
23 outlined as the west switching station option and then  
24 the east switching station. In working with APS, we've  
25 identified two different locations, mainly due to the

1 challenge of the constructability, the site, and the  
2 site accesses for them.

3           So what we've done is proposed two different  
4 substation locations to APS, with the west substation  
5 being the site that would actually have the most  
6 accessibility, just due to the fact that the public  
7 roads coming down from Winslow and the Project roads  
8 that would be built for the Project itself into it.  
9 The site on the eastern side of the canyon does create  
10 some additional challenges on constructability, as well  
11 as access. And so we came up with a solution of  
12 proposing, you know, both of them to APS, and we're  
13 currently working with them to determine which one  
14 would make the most sense for APS.

15           Q.    Mr. Nemeth, before you move on, you referred  
16 to the west switching station, I believe you referred  
17 to it as a substation. Is there a substation component  
18 of this?

19           A.    (BY MR. NEMETH) So it's -- Yeah. In  
20 terminology, a lot of times the interconnection is also  
21 called the interconnection substation. I may have just  
22 abbreviated that when speaking.

23           Q.    But there will be no step-up --

24           A.    (BY MR. NEMETH) There would not be a step-up  
25 substation. It would only be the interconnection.

1 Q. So describe the discussions and the process  
2 that you've undergone with APS to date with regards to  
3 the interconnection.

4 A. (BY MR. NEMETH) Sure. So the APS has a  
5 detailed process in which any power generation can  
6 interconnect into the grid. What we did is, in March  
7 of 2018, we filed an interconnection request for the  
8 Chevelon Butte Wind Farm at 477 megawatts. So we've  
9 currently been working through the APS process, we've  
10 gone through a scoping and study agreement with them.  
11 And we were actually hoping to have the SIS actually by  
12 today, but we were just informed by APS that we should  
13 have the system impact study in the next two weeks.

14 As the system impact study comes in, that  
15 will identify any concerns that they may have with the  
16 line reliability, and we'll be able to specify on our  
17 ability to inject the full 477 megawatts onto the  
18 Project. Without having it in front of me, it could  
19 come in and say that specific line upgrades will be  
20 required to improve the reliability of the line.  
21 Unfortunately, until we get the system impact study, we  
22 won't have that level of detailed information.

23 But what our intent is, is once we do have  
24 that system impact study, we would evaluate the  
25 information provided by APS, we would then move forward

1 with a facility study, and then ultimately -- which  
2 would be called a large generation interconnection  
3 agreement in which that would be the document that  
4 outlines what work must be done, and allow us to  
5 interconnect our Project into the existing APS 345 kV  
6 line.

7 Q. Mr. Nemeth, if the system impact study or  
8 subsequent studies -- Let me take a step back.

9 Who performs those studies?

10 A. (BY MR. NEMETH) So those studies are done by  
11 APS or any third-party consultants that they may  
12 contract to do that work.

13 Q. On APS's behalf?

14 A. (BY MR. NEMETH) On APS's behalf, yes.

15 Q. And so if the system impact study identifies  
16 improvements that need to be made to the regional  
17 transmission system in order to allow for the injection  
18 of the energy from this Project, who has to pay for  
19 those improvements?

20 A. (BY MR. NEMETH) Typically, any improvements  
21 that are required for us to be able to inject the power  
22 onto the grid is done by the applicant. In this case,  
23 sPower.

24 CHMN. CHENAL: Excuse me, Mr. Acken.

25 Member Haenichen.

1           MEMBER HAENICHEN: I'll get onto this not at  
2 the end of the meeting.

3           In the application, I'm referring to the two  
4 possible switching station locations, they indicated  
5 that the east station site was much closer to a  
6 residence than the other. I think it was within a half  
7 mile. Is that --

8           MR. NEMETH: It is closer to a residence, and  
9 I think Mr. Unrein can provide more details on the  
10 distance.

11          MR. UNREIN: Yeah. So the eastern switching  
12 station option is indeed closer to the nearest -- the  
13 nearest residential area, a single residence in Navajo  
14 County. Our environmental witnesses coming up later  
15 today will explain land use and noise and acoustical  
16 impacts expected from this Project.

17          It is key to note that under both switching  
18 station options, there's expected to be no noise impact  
19 to that nearest residence due to the existence of the  
20 three existing APS transmission lines that bisect our  
21 infrastructure from those nearest improvements  
22 in Navajo County.

23          MEMBER HAENICHEN: Yeah, but I was mainly  
24 worried about the viewshed issues.

25          MR. UNREIN: Similarly, the transmission

1 lines that already bisect the area will be taller than  
2 our switching station, and we do -- we will give -- our  
3 environmental witnesses will provide more testimony  
4 with respect to viewshed and visual impacts later this  
5 afternoon as well.

6 MEMBER HAENICHEN: Thank you.

7 CHMN. CHENAL: Member Hamway.

8 MEMBER HAMWAY: So back to what you were just  
9 talking about -- Sorry. Back to what you were just  
10 talking about as far as making upgrades to the APS  
11 line, and that would be borne by sPower. So I'm sure  
12 you inspected those lines, and so you have a good feel  
13 for what might come out of that.

14 And would there be a need to increase the  
15 capacity on those lines, or would you just -- I mean, I  
16 guess I'd like a little bit more detail about how  
17 you -- I'm sorry -- how you determine whether or not --  
18 and could it be that it makes the Project  
19 unaffordable?

20 MR. NEMETH: Yes. We have done our own  
21 internal power flow studies to determine what the  
22 capacity on the lines are and on whether or not we  
23 would have any specific concerns. Currently, based on  
24 our own studies, we don't anticipate any necessary  
25 upgrades being required on the line.

1           This same line goes straight into the Cholla  
2 coal plant, and that plant has already started  
3 decommissioning different parts of that. And so we  
4 feel, especially by 2024, I think is when it's fully  
5 decommissioned, that basically there would be full  
6 availability for us to interject the Project onto that  
7 line without triggering any additional upgrades.

8           MEMBER HAMWAY: Thank you.

9           MEMBER NOLAND: Mr. Chairman.

10          CHMN. CHENAL: Member Noland.

11          MEMBER NOLAND: Thank you, Mr. Chairman.

12          Mr. Nemeth, I apologize. When you, I think,  
13 were discussing Exhibit Number 18, the monopole  
14 exhibit, I was looking at the CEC trying to find  
15 something else. And did you discuss what kind of  
16 finish you were looking at having on the monopole?

17          MR. NEMETH: I did not mention the type of  
18 finish on it. Typically, it would either be a  
19 galvanized steel pole, or it would be -- and forgive  
20 me, I don't recall the name of the type of pole, but it  
21 would have like a rust-colored look to it where it'd  
22 self-rust on the exterior on it. So it would most  
23 likely be one of those two types of poles.

24          MEMBER NOLAND: During the public hearings  
25 that were held and the meetings in Winslow and so on,

1 are you aware of any input by the public with regard to  
2 a preference of either one of those two?

3 MR. NEMETH: I am not. At the public hearing  
4 in Winslow, I didn't have any landowners or community  
5 members ask about the transmission poles. The vast  
6 majority of questions I received was solely on the  
7 turbines.

8 MEMBER NOLAND: Now, I have one more  
9 question, and it doesn't really have to do with the  
10 transmission line. It's just my pure curiosity. Why  
11 are all the wind turbines white?

12 MR. NEMETH: That is a requirement set forth  
13 by the FAA.

14 MEMBER NOLAND: And that answers that. Thank  
15 you.

16 CHMN. CHENAL: Just one more question.  
17 You're asking, in your CEC, for the option to, at some  
18 point in the future, select either the east or the west  
19 switching option. In other words, you're not coming in  
20 as alternatives that you're asking us to approve now.  
21 You're asking for us to approve a CEC that provides the  
22 applicant the option, in the future, to pick the west  
23 or the east; is that correct?

24 MR. NEMETH: Yes, sir.

25 CHMN. CHENAL: Thank you.

1 BY MR. ACKEN:

2 Q. And Mr. Nemeth, following up on the  
3 Chairman's question, why are you asking for that  
4 flexibility in the CEC?

5 A. (BY MR. NEMETH) We are asking for the  
6 flexibility for both switching stations due to the fact  
7 that, in our conversations with APS, they have yet to  
8 make a decision on what their preferred location would  
9 be.

10 Q. And what considerations will drive their  
11 decision?

12 A. (BY MR. NEMETH) I don't feel I could  
13 completely speak for them on this; but based on some of  
14 the conversations, a number of factors. One of them  
15 being site access, site suitability, and then as well  
16 as like the cost of building one site over the other.

17 Q. Thank you. Mr. Nemeth, anything further on  
18 the interconnection before we shift gears?

19 A. (BY MR. NEMETH) No additional comments,  
20 unless the Board has any questions.

21 CHMN. CHENAL: Any questions from the  
22 Committee on the material we just covered?

23 (No response.)

24 CHMN. CHENAL: Even though there aren't any  
25 questions on the material you just covered, I would not

1 bet that there won't be questions on the material we  
2 just covered in the future.

3 (Laughter.)

4 MR. NEMETH: The good news is, I'm here all  
5 week.

6 MR. ACKEN: Thank you, Mr. Chair.

7 BY MR. ACKEN:

8 Q. Mr. Unrein, I'd like to turn back to you and  
9 have you describe the public notice and outreach that  
10 you did for both the Wind Farm and the Gen-Tie Project  
11 leading up to today.

12 A. (BY MR. UNREIN) Sure. As a preface, it is  
13 key to note that we launched a robust public outreach  
14 program in connection with, just as Mr. Acken just  
15 said, both the Chevelon Butte Wind Farm and the  
16 Chevelon Butte Wind Gen-Tie Project combined. So  
17 everything I'm about to speak about is for both  
18 projects combined.

19 We initiated public outreach on the Wind Farm  
20 and transmission facilities on July 1st of this year by  
21 launching a dedicated Project website,  
22 chevelonbuttewind.com, and sending mailers to over 200  
23 property owners within 5 miles of the Project boundary  
24 in Coconino County, and 2 miles of the Project boundary  
25 in Navajo County, both of which are well above and

1 beyond local ordinance requirements, to ensure robust  
2 public noticing and engagement.

3           The notices we sent -- Oh, excuse me. We  
4 also voluntarily sent mailers and fliers to communities  
5 and property owners associations outside of that  
6 already robust 5-mile buffer in Coconino County, as  
7 recommended by the County.

8           The mailers we sent provided a description of  
9 the Project and various details, provided a mailing  
10 address and website address to which public comments  
11 and questions could be addressed, and advertised, in  
12 conjunction with newspaper ads, and again, community  
13 fliers, a public open house, which was held on  
14 July 15th in Winslow, Arizona, at the Winslow Chamber  
15 of Commerce and Visitors Center.

16           At the open house, handout materials, big  
17 poster boards, and comment cards were provided to  
18 attendees, and sPower representatives and our partners  
19 were made available to answer questions about the  
20 Chevelon Butte Wind Farm and Chevelon Butte Wind  
21 Gen-Tie Project.

22           Specifically with respect to noticing for  
23 this week's hearing, newspaper advertisements and  
24 notices were placed in the Arizona Daily Sun on  
25 August 2nd and August 4th, the Navajo Tribune on

1 August 7th; copies of the CEC application were sent to  
2 public libraries in Flagstaff and Winslow; and three  
3 signs were installed on the Project site; all of which  
4 is evidenced in Exhibit CVN 6.

5           And per Committee Member Woodall's request, I  
6 do have some more details as to how we expect, while  
7 we're on the discussion of public noticing, et cetera,  
8 of how we expect to direct attendees here to tonight's  
9 hearing, due to this conference space being across the  
10 street from the main High Country Conference Center.

11           So at the main conference center, we've  
12 informed the front desk, and they will have one staff  
13 member present outside near the entranceway directing  
14 folks. We will have at least one or two sPower  
15 representatives or our partners, again, lingering out  
16 front of the main conference center, directing people  
17 here. We have posted a sign with an arrow and  
18 location, including the room number, on the main High  
19 Country Conference Center entrance.

20           In front of this building, of the 1899  
21 building, we have an additional sign advertising a  
22 permit hearing with a room number. And outside this  
23 building, we will have another sPower representative or  
24 our partner directing staff, walking across the street,  
25 steering staff in here. So I just wanted to throw in

1 those notes while we're on the discussion of public  
2 outreach.

3 CHMN. CHENAL: Member Gentles. Did I  
4 pronounce your name correctly, or did I butcher that as  
5 well?

6 MEMBER GENTLES: You did. Thank you,  
7 Mr. Chairman.

8 CHMN. CHENAL: I butchered it or I --

9 MEMBER GENTLES: No, you're good.

10 CHMN. CHENAL: All right.

11 MEMBER GENTLES: So I'm actually kind of  
12 excited, because you kind of crossed into my lane here  
13 in terms of public outreach. So I want to hear a  
14 little bit more about your metrics on your outreach,  
15 and how can you assure us that a good majority of the  
16 public actually knows about what's going on? Do you  
17 have any metrics around your mailings and your website  
18 and all of the things that you accomplish?

19 MR. UNREIN: Sure. So we've sent, again,  
20 mailers to over 200 property owners, certified mail,  
21 which is well above and beyond local ordinance  
22 requirements. There's a 1-mile notice buffer in  
23 Coconino County and a 1-mile notice buffer in Navajo  
24 County. So we actually purchased all of the counties'  
25 GIS data in both counties so we could triple confirm

1 all of the property owners are being properly noticed,  
2 and that resulted in over 200 people. So that's well  
3 above and beyond what we needed to do, again, because  
4 this is a very remote and rural area.

5 On the website -- Sorry, before I move on to  
6 the website. So the open house was very well attended.  
7 I think we had around 40 people come to the open house,  
8 which again, for this, you know, remote of a Project,  
9 we were surprised and we were happy, and Winslow Mayor  
10 McCauley spoke to that earlier. He was -- it was in  
11 his town, and he was happy -- very happy with the  
12 attendance as well.

13 So we felt like our mailers did what it  
14 needed to in terms of notifying communities, and it  
15 also -- us sending mailers and fliers to property  
16 owners associations, even, again, further outside of  
17 that already robust notice buffer, we feel very  
18 confident that that worked as well, because we've had  
19 folks show up to hearings and give us public comments  
20 that are outside of those mailing buffers. So those  
21 property owners associations mailers worked, and we  
22 know that this Wind Farm and the transmission  
23 facilities have been discussed at at least one property  
24 owners association board meeting.

25 We have received a little -- just shy of 20

1 public comments on this Project, formal public  
2 comments.

3 CHMN. CHENAL: How many?

4 MR. UNREIN: Just shy of 20. It's either 18  
5 or 19. Either 18 or 19 public comments: A handful of  
6 those are support letters; a handful of those are  
7 asking various comments and questions; and a few of  
8 them are folks that are not enthused about our Project,  
9 understandably so. We run into that coast to coast  
10 across the United States developing large  
11 infrastructure.

12 So we've not only received public comments,  
13 but we've endeavored to take it a step further and  
14 respond to every single comment and every single  
15 question we've received from the public or agencies on  
16 this Project, typically within a matter of days. So we  
17 have fully documented correspondence with every -- with  
18 every comment we've received, that we've thoroughly  
19 responded and addressed questions and comments to the  
20 greatest extent practicable.

21 And on the website side, we have what we  
22 think is a pretty good Project website. We continually  
23 update it with information. We just added some new  
24 pages last week that has, you know, our CEC  
25 application, the notice of this hearing, et cetera, and

1 it has a very easy ability to submit an online comment  
2 that directly goes to me and my main permitting  
3 consultant. So we're very confident that this has  
4 been -- we've provided very easy avenues for public  
5 engagement.

6 MEMBER GENTLES: So did I miss the listing of  
7 the public comments and your responses? Is it in here?

8 MR. UNREIN: I don't believe the full list is  
9 in there, because we're still receiving public  
10 comments. We do have a comprehensive list, and in  
11 addition to our responses prepared in support of our  
12 local permit application materials, which I'm going to  
13 speak to in a minute, one of which is being submitted  
14 this week. So we do have a robust list that we're  
15 submitting to an agency this month, this week.

16 But at the time of application, we were  
17 still -- I think we submitted this application on July  
18 29th, and we hosted our open house on July 15. So when  
19 we submitted this application, that was kind of right  
20 in the middle of the flow of public comments.

21 BY MR. ACKEN:

22 Q. Mr. Unrein --

23 CHMN. CHENAL: Excuse me, Mr. Acken.  
24 Member Hamway has a question.

25 MEMBER HAMWAY: So on your open house

1 newspaper ad, you mention 175 wind turbines. And  
2 you're now asking or telling us that you're going to  
3 put up 164, so you dropped it down by 11. So is it  
4 going to fluctuate between those two? I know it's  
5 outside the scope of this Project, I'm just curious.

6 MR. UNREIN: No, that is correct, and that's  
7 a good catch. When we first launched this Project, we  
8 had a maximum 175 turbine locations that we were  
9 contemplating. And through months and months and a lot  
10 of effort of robust environmental and cultural studies  
11 that our witnesses will speak to this afternoon, we  
12 have eliminated 11 turbine locations based on various  
13 avian and cultural constraints. And we're confident  
14 that with those 164 turbine locations, we're still  
15 going to be able to achieve our targeted capacity.

16 So long answer is: Yes, we've eliminated 11  
17 turbines and are not moving forward with permitting  
18 them.

19 MEMBER HAMWAY: Thank you.

20 CHMN. CHENAL: Member Drago.

21 MEMBER DRAGO: Yeah. Mr. Unrein, I'm not  
22 sure it's appropriate at this section with public  
23 outreach, but can you describe to the Committee the  
24 degree of tribal outreach with regard to the Hopi  
25 Tribe?

1 MR. UNREIN: Yes, Committee Member. If you  
2 wouldn't mind, that was going -- I was going to touch  
3 on that in the next slide, or I can go to it right now.

4 MEMBER DRAGO: Perfect, thanks.

5 MR. UNREIN: Okay. And I touch on it  
6 briefly, and I'll pause after the next slide to field  
7 any questions on that.

8 CHMN. CHENAL: Member Gentles has a question  
9 at this point.

10 MEMBER GENTLES: Thank you, Mr. Chair.

11 Would you be able to provide copies of the  
12 public comments and your reply to us at some point?

13 MR. UNREIN: Yes, yes.

14 MEMBER GENTLES: Okay, thank you.

15 MR. ACKEN: Mr. Chairman and Committee Member  
16 Gentles, we can certainly file something in the docket  
17 as a late-filed exhibit; we may even be able to get it  
18 done before the hearing is concluded. I guess the one  
19 caveat, I haven't seen it. If it has personal  
20 information that people didn't anticipate it was going  
21 to be in a public forum, we may seek to redact that.  
22 But otherwise, I'll turn it over to Mr. Unrein for  
23 further comment.

24 MR. UNREIN: What I would prefer to provide  
25 you is, again, this very comprehensive exhibit that

1 we've prepared for our local application materials,  
2 which, as Bert said, doesn't provide the full e-mail  
3 due to, you know, personal information, et cetera. But  
4 it's rather some very long tables that list the name,  
5 what the comment was, and then we categorize our  
6 response, and then there's a separate table that shows  
7 our response to all of the comments. So it provides  
8 all of the content I think you would need, instead of  
9 disclosing the full comments with contact information.

10 MEMBER GENTLES: Mr. Chair, I'm just -- I'm  
11 not worried about people's personal information. I'm  
12 just looking for context, because we have a handful of  
13 public here, and who knows how many we'll have this  
14 evening, and I'm not sure the people here and the  
15 people that we'll see here later on this evening are  
16 fully representative of the full comments that you guys  
17 have received. So I'd just like that for, I think, the  
18 rest of the Committee for context, so we have a better  
19 scope of what the public is saying about the Project.

20 MR. UNREIN: Okay.

21 CHMN. CHENAL: Member Noland.

22 MEMBER NOLAND: Mr. Chairman, to that point,  
23 what we've done in the past in other cases is receive a  
24 synopsis on an Excel spreadsheet or just a, you know,  
25 computer-generated synopsis of the comments and the

1 responses. Because if they do a filing of every e-mail  
2 and so on and so forth, that becomes public record that  
3 could go well beyond what we need and be used by other  
4 people.

5 MEMBER GENTLES: Sure.

6 MEMBER NOLAND: So I'd be happy with a  
7 synopsis, but that's up to you, Member Gentles.

8 MEMBER GENTLES: That would be fine. Just a  
9 summary, you know, of the salient, the main points.  
10 I'm not looking for every remark, but something that  
11 gives us some context about what people are saying.

12 MR. UNREIN: Okay. I'll work with our  
13 counsel to properly provide that to you, whether that's  
14 through your docket or bringing hard copies tonight or  
15 tomorrow.

16 CHMN. CHENAL: That would be good. I think  
17 the point is that we'd like to see it before we make a  
18 decision, not as a late-filed exhibit after the  
19 conclusion of the hearing.

20 MR. ACKEN: Mr. Chairman, I'm getting  
21 feedback in my ear that that's something that we'll be  
22 able to provide as an exhibit in this hearing.

23 CHMN. CHENAL: Thank you.

24 MR. ACKEN: Thank you.

25 CHMN. CHENAL: Please proceed.

1           MR. ACKEN: So Mr. Unrein has previewed this  
2 a couple times, but I think he's finally ready to  
3 discuss the permitting status and process for the  
4 Project.

5 BY MR. ACKEN:

6           Q. So with that, I'd like to turn it to  
7 Mr. Unrein to discuss permitting, with a summary that's  
8 shown on Slide 26.

9           A. (BY MR. UNREIN) Sure. Firstly, I'd like to  
10 point out a rather unique permitting attribute of the  
11 Chevelon Butte Wind Farm and Chevelon Butte Wind  
12 Gen-Tie Project to answer a question that has been  
13 raised multiple times today, in that the Project  
14 infrastructure that we're planning does not impact any  
15 federally owned or managed property, nor does it impact  
16 any federal transmission lines. Therefore, these two  
17 Projects are not subject to federal land use permitting  
18 or review under the federal National Environmental  
19 Policy Act. In summary, there's no federal land that  
20 we're going to site infrastructure on, so no federal  
21 NEPA nexus.

22           Despite the lack of a federal NEPA nexus,  
23 robust environmental studies, cultural studies, and  
24 public participation has occurred on these Projects,  
25 which will be evidenced throughout our testimony today.

1           Again, despite no federal NEPA nexus, and  
2 therefore, no Section 106 National Historic  
3 Preservation Act tribal consultation requirements, we  
4 voluntarily sent notices to nine potentially interested  
5 tribal entities in late 2018, early in the development  
6 process. Again, there was no federal authority telling  
7 us to notify nine tribes of this Project, but we did,  
8 and we continue to outreach with interested tribal  
9 entities to this day.

10           The absence of a federal permitting nexus  
11 generally reduces the permitting timeline. This  
12 overall reduced permitting and development timeline  
13 benefits the state of Arizona by allowing construction  
14 commencement of this in-state wind Project after  
15 receipt of state and local permits.

16           So the key discretionary land use permits  
17 required for the Chevelon Butte Wind Farm and Chevelon  
18 Butte Wind Gen-Tie Project include: A Certificate of  
19 Environmental Compatibility from the Arizona  
20 Corporation Commission; a conditional use permit from  
21 Coconino County, which is planned to be submitted this  
22 month; a special use permit from Navajo County, which  
23 is planned to be submitted this Friday, September 20th;  
24 and a right-of-way from the Arizona State Land  
25 Department, which, as we've discussed, we've been

1 actively working with them on for many months.

2 It is key to note that upon issuance of a  
3 conditional use permit from Coconino County and a  
4 special use permit from Navajo County, that our planned  
5 use will be a consistent use and a permitted use within  
6 the site's existing zoning designations, whereby  
7 property rezoning or a major land use plan amendment is  
8 not required.

9 CHMN. CHENAL: Yes, Member Noland.

10 MEMBER NOLAND: Thank you. My question is on  
11 the right-of-way permit with the Arizona State Land  
12 Department.

13 From what I can see on your submitted maps,  
14 Substation 1 and 2 are on private land. It appears,  
15 from the map that I have seen, that the east and west  
16 stations are on State land; is that correct?

17 MR. UNREIN: The east, yes, is definitely  
18 correct. The west --

19 MR. NEMETH: Is also on State land.

20 MR. UNREIN: -- is also on State land.

21 MEMBER NOLAND: I'm sorry. The what is also  
22 on State land?

23 MR. UNREIN: Yes, yes, both switching station  
24 options are located on State Trust property.

25 MEMBER NOLAND: So that would be more than

1 just a right-of-way, would it not?

2 MR. UNREIN: No, it would be a right-of-way.  
3 And there's also 50 to 60 turbines at full build-out  
4 that we're seeking with the Arizona State Land  
5 Department. So it's a rather large -- large piece of  
6 infrastructure. In addition to the Gen-Tie Line  
7 switching stations, upwards of 50-plus turbines,  
8 including the roads and collection lines on State  
9 property going to those turbines. So it's a large  
10 right-of-way application that we've been working with  
11 them on all of this year.

12 MEMBER NOLAND: So you have submitted a  
13 right-of-way application for the switching stations  
14 being X amount of acres themselves?

15 MR. UNREIN: The short answer is: Yes, we  
16 have submitted a right-of-way application for both  
17 switching station options. There was a time when the  
18 Arizona State Land Department recommended that we split  
19 out the switching station from our main right-of-way  
20 application, so there was a time when we had two  
21 right-of-way applications simultaneously with the State  
22 Lands Department. Then it was recommended that we  
23 recombine those into one right-of-way application, and  
24 that was very recently.

25 So the really long answer to your question

1 is: Yes, they were together, they were split, and now  
2 they're being put back together. But yes.

3 MEMBER NOLAND: Okay. And those would be a  
4 lease situation, rather than a purchase situation?

5 MR. UNREIN: That is correct.

6 MEMBER NOLAND: Thank you.

7 CHMN. CHENAL: Yes, Member Drago.

8 MEMBER DRAGO: Mr. Unrein, thank you for your  
9 information on the tribal outreach. Did you send Dear  
10 Tribal Leader letters to all 22 federally recognized  
11 tribes, and then got responses from nine? And then the  
12 ongoing tribal interface, how many of the nine?

13 MR. UNREIN: Yes. So to your first question,  
14 no, we did not send letters to 22 tribal entities; we  
15 sent letters to nine. And that was in close  
16 coordination with the Arizona State Lands Department  
17 cultural office. We came to them and we said, hey, we  
18 want to voluntarily reach out to tribes potentially  
19 interested in this Project. Can you help us develop a  
20 list? And our archaeological consultant, which you'll  
21 hear from later today, and the Arizona State Land  
22 Department worked together with us to develop that list  
23 of nine. So that's where -- Long story short, that  
24 list of nine was in coordination with the State Land  
25 Department.

1           And to your second question -- I'm sorry.  
2    Could you repeat? Was your question how many tribes  
3    we're still coordinating with?

4           MEMBER DRAGO: Of the nine, how many are  
5    still interested in continuing to coordinate with you?

6           MR. UNREIN: There's one tribe that we're  
7    actively continuing our coordination with, and another  
8    tribe that just generally wants to be kept up to speed  
9    on big Project updates, like when we're going to go  
10   into construction, et cetera. So on a day-to-day type  
11   of basis, there's one tribe.

12          CHMN. CHENAL: Member Hamway.

13          MEMBER DRAGO: Thank you.

14          MEMBER HAMWAY: So you have a CUP from  
15   Coconino and an SUP from Navajo; why the different  
16   permits? And do both of those require a public meeting  
17   in which the supervisors approve or don't approve those  
18   permits?

19          MR. UNREIN: Yes. So they are functionally  
20   the same permits with different names, which is  
21   somewhat unique here, in that there are two counties  
22   next door with different names. But, yeah, a  
23   conditional use permit in Coconino County is  
24   functionally the same thing as a special use permit in  
25   Navajo County. Does that answer that question?

1 MEMBER HAMWAY: Yes.

2 MR. UNREIN: Okay. And to your second  
3 question on hearings, the answer is yes. We will  
4 have -- we will -- And let's start out with Navajo  
5 County. In Navajo County, we will go before the  
6 Planning and Zoning Commission and the Board of  
7 Supervisors automatically. We go before both -- both  
8 regulatory bodies.

9 In Coconino County, we will have a planning  
10 and zoning study session next month with Coconino  
11 County. So that's -- You know, before the actual  
12 hearing starts, decisions won't be made; they just want  
13 to ask various questions on our applications. So we  
14 will have a planning and zoning study session, and then  
15 we will have a planning and zoning hearing. And in  
16 Coconino County, if we are not appealed, our approval  
17 can end at the Planning and Zoning Commission. We do  
18 not have to automatically go up to the Supervisors.  
19 But if we're appealed, we will dually appeal our own  
20 case and go before the County Supervisors.

21 MEMBER HAMWAY: Thank you.

22 MR. UNREIN: You're welcome.

23 CHMN. CHENAL: So, Mr. Unrein, do the  
24 permits, conditional use permit, special use permit,  
25 apply to both -- all the facilities you've mentioned,

1 be it a switching station, the turbines, and the line  
2 that's the subject of your application here today, do  
3 these permits cover all the facilities that are in  
4 either of those two counties?

5 MR. UNREIN: We are including every possible  
6 piece of infrastructure in both counties in our  
7 conditional use permit application and special use  
8 permit application; they include everything. I would  
9 prefer to defer to my counsel to speak as to the  
10 counties' jurisdiction, or lack thereof, on the  
11 features we're speaking of today, but I can tell you  
12 they are all represented in our application materials.

13 CHMN. CHENAL: I don't know that we need to  
14 complicate it at this point. I think that's a good  
15 answer for our purposes. And I'm sure, you know, your  
16 counsel will do what needs to be done to get those  
17 permits obtained, at least in terms of the filing, what  
18 it covers.

19 So with regard to the right-of-way agreement,  
20 this is where it begins -- put this in a category of a  
21 question I don't have an answer to. The right-of-way  
22 is going to be -- well, you're asking for a corridor  
23 that's 500 feet long, and at some point, close to  
24 within a mile of the eastern end of the line, it's  
25 going to extend to like 1300 feet.

1           With the right-of-way application you're  
2 submitting, is it more specific than that in your -- I  
3 guess what I'm -- I guess what I understand is that  
4 you're going to try to get a corridor that allows you  
5 additional time to negotiate, with the Arizona State  
6 Land Department, a right-of-way within the corridor.  
7 But you're still in the process of negotiation, and you  
8 don't know specifically, at this point, where that  
9 right-of-way is going to be located within the  
10 corridor. Is my understanding generally correct?

11           MR. UNREIN: Yes, that's correct. We're  
12 before you, we're before the Line Siting Committee  
13 first, and we're seeking this corridor. But when we  
14 submit our infrastructure to the Arizona State Land  
15 Department -- and they've already seen, mind you, a lot  
16 of materials from us. We're just kind of nearing the  
17 final phase now. When we submit our final  
18 infrastructure to the Arizona State Lands Department,  
19 it will eventually be in a legal description, which  
20 takes a lot of time and money and survey work to get to  
21 that point.

22           But yes, the exhibits that will be in our  
23 State Lands right-of-way will be a much more fine-tuned  
24 legal description, all falling within the corridor that  
25 we're applying for today.

1 CHMN. CHENAL: And I guess it's difficult to  
2 say how wide the right-of-way is going to be, because  
3 you're seeking a right-of-way, for example, for  
4 substations, the switching yards, the lines themselves.  
5 So let's just -- With respect to what's in the  
6 application today, let's just limit it to the line, the  
7 Gen-Tie Line, how wide is that right-of-way going to  
8 be?

9 MR. UNREIN: Is your question our  
10 right-of-way request with the Arizona State Lands  
11 Department, or physically how wide will these pole  
12 structures be when they're built?

13 CHMN. CHENAL: I'm asking with the  
14 right-of-way application with the Arizona State Land  
15 Department.

16 MR. UNREIN: 150 feet.

17 CHMN. CHENAL: All right, thank you.  
18 Member Drago.

19 MEMBER DRAGO: I've got a question on the  
20 asterisk. What is that qualifying?

21 MR. UNREIN: That is qualifying nothing.  
22 Apologies if, yeah, that's confusing.

23 MEMBER DRAGO: Yeah, I was just looking for a  
24 note or something.

25 MR. UNREIN: Yeah, that's probably a good

1 point for the record. There's no qualifiers on the  
2 verbiage that says, "No National Environmental Policy  
3 Act nexus."

4 MEMBER WOODALL: It was probably going to be  
5 an exclamation point.

6 (Laughter.)

7 MR. NEMETH: There was some cheering involved  
8 when we determined that.

9 CHMN. CHENAL: Member Noland.

10 MEMBER NOLAND: Thank you, Mr. Chairman.

11 I just want to be sure that the audience  
12 understands and that we're all on the same wavelength.  
13 We're talking about a 150-foot right-of-way for the  
14 transmission line area within a 500-foot corridor for  
15 the majority of that line, correct?

16 MR. UNREIN: That's correct.

17 MEMBER NOLAND: And then once the  
18 right-of-way is determined and that's all taken care  
19 of, then the corridor goes away. We've had this  
20 discussion in other cases. It's coming back up again,  
21 but we'll leave it for now.

22 Then where you have the two switching  
23 stations, then that's going to be however big, you're  
24 calling it a right-of-way, within a 1300-foot proposed  
25 corridor; am I correct on that?

1 MR. UNREIN: That is correct.

2 MEMBER NOLAND: And then when that's done and  
3 selected, then that corridor goes away. And it will  
4 then be a specific right-of-way on file with the State  
5 Land Department or an agreement, a lease agreement,  
6 with the private property owner; is that correct?

7 MR. UNREIN: That is correct. And one of the  
8 switching station options will also eventually be  
9 eliminated.

10 MEMBER NOLAND: So on the two substations --  
11 I'm just trying to wrap my head around this. On the  
12 two substations that are quite large, are you  
13 considering that right-of-way also, or are you doing an  
14 acquisition of those sites?

15 MR. UNREIN: The two collector substation  
16 locations identified as Substation 1 and Substation 2  
17 in today's proceedings are located on private property,  
18 not State property, so they will both not be subject to  
19 our application with the Arizona State Lands  
20 Department.

21 MEMBER NOLAND: I understand that. But are  
22 those going to be a lease right-of-way situation, or  
23 are they going to be an outright purchase of those  
24 properties?

25 MR. UNREIN: Those will be leased with a

1 private property family.

2 MEMBER NOLAND: But you're not asking for a  
3 corridor around those; is that correct?

4 MR. UNREIN: We are asking for a footprint  
5 that is -- that is bigger than the actual  
6 infrastructure that will be installed, but I'm not sure  
7 if that answers your question. Today we're requesting  
8 a larger area, all on private property, in which to  
9 place the substations that occupy approximately  
10 8 acres; and that's to, again, provide us optionality,  
11 it's all on private property, to avoid cultural  
12 resources, identify the best geotechnical conditions  
13 underlying those parts of the site.

14 MR. ACKEN: Mr. Chairman and Committee Member  
15 Noland, in our proposed CEC we have a proposed -- we're  
16 requesting a 500-foot corridor for most of the Gen-Tie,  
17 except near the switching stations, in which to place  
18 the 150-foot right-of-way. We are also requesting  
19 separately, as Mr. Unrein testified, a larger footprint  
20 for the two collector substations in which ultimately  
21 the smaller footprint will be placed.

22 I think perhaps maybe some of the confusion  
23 in this, and we'll take this as an action item, is on  
24 the eastern end we expand the corridor to encompass the  
25 switching station locations, and we don't do that for

1 the two substations. And the reason is, is because  
2 we're more confident about where those are going to  
3 come in and out of the two substations. We don't need  
4 that same level of flexibility as we do for the  
5 switching stations. So that's why when you see the  
6 corridor expand on the switching stations, it  
7 encompasses the footprints of the switching stations as  
8 well. I don't know if that's helpful.

9 MEMBER NOLAND: Thank you. It's okay.

10 CHMN. CHENAL: Follow-up question. On the  
11 western side of the line where the substations are to  
12 be located, will the corridor still be 500 feet with  
13 regard to the two substation areas?

14 MR. ACKEN: No. And I'm going to take a  
15 swing at it, if I can. It's a legal question. This is  
16 how we understood it and how we intended to draft the  
17 document, that it would be a 500-foot corridor that  
18 enters the substation footprint. At that point, you  
19 don't have a 500-foot corridor, you have that  
20 substation footprint as it's defined in the CEC. And  
21 then once the line exits that substation, you again  
22 have a 500-foot corridor. Because I think if you were  
23 to look at those maps, a 500-foot corridor isn't as  
24 wide as the footprint of the substations. And so that  
25 was the intent.

1 CHMN. CHENAL: So the area where the  
2 substations are to be located, do you know, with more  
3 specificity, the exact location of those sites? So  
4 you're not asking so much for a corridor as you are for  
5 the other areas where you need some flexibility. But  
6 how will that be described in the CEC, I guess is my  
7 question now? I understand the corridor now. But now  
8 on the substations, how do we articulate within the  
9 document on Exhibit A where the substations are to be  
10 located?

11 MR. ACKEN: Mr. Chairman, the way we  
12 attempted to do that, and it's -- We marked the  
13 proposed CEC as an exhibit, as CVN 10, and we tried to  
14 describe it using section, township, range.

15 So if you look at Page 2 of CVN 10, Line 24,  
16 it says, "The Project route commences...at the...new  
17 Substation 2," and it describes -- it says that it's on  
18 private land in this section, and then from Substation  
19 2, then it's in the corridor. So we have that  
20 narrative description.

21 And then you go to Page 3. Beginning on  
22 Line 16 is where we discuss, okay, we have a map of the  
23 Project, so we have a visual depiction of the requested  
24 right-of-way and corridor and substation footprint, and  
25 we then provide a narrative description of what those

1 are.

2 So that's how we've attempted to address it  
3 here. You know, obviously if there are ways to improve  
4 it, we welcome suggestions and we'll do so.

5 CHMN. CHENAL: Well, I just want to avoid a  
6 problem at the end. You know, let's anticipate what  
7 the Committee may require or ask for.

8 But I think, Mr. Acken, you used the word  
9 "substation footprint." And I guess now my question  
10 is: I see the narrative where you refer to sections of  
11 the property. But is it your intent to define with  
12 more specificity in some manner on Exhibit A the exact  
13 footprint of the substations?

14 MR. ACKEN: Mr. Chairman, again, we describe  
15 the footprints by acreage on Lines 22 through 24, and  
16 then we show them in the map, which is Exhibit A.  
17 Realizing that that's at -- that the scale on that  
18 doesn't lend itself to real close particularity, but  
19 that's how we propose to do it.

20 And one of the things that's unique about  
21 this one, as has been testified, is you have an  
22 applicant who's seeking approval on private land and  
23 State land. And all of the private land is held by one  
24 family group, who they've been in discussions with and  
25 who have had -- and those discussions will continue.

1 And you'll have a similar refinement, that you will  
2 have with the State land, with that private landowner  
3 as the discussions move further on down the line with,  
4 okay, here's where the turbines are going to be, here  
5 is where the substations are going to be.

6 And ultimately, my understanding, and the  
7 witnesses can actually testify to this, there will be  
8 an easement with the private landowner that narrowly  
9 defines both the right-of-way for the Gen-Tie, as well  
10 as the footprint, the ultimate build-out for the  
11 substations.

12 MEMBER NOLAND: Mr. Chairman.

13 CHMN. CHENAL: Member Noland.

14 MEMBER NOLAND: Mr. Chairman, you and I are  
15 kind of in the same quandary, I think, on this. I  
16 understand it's a private landowner; but part of our  
17 charge is to determine the environmental impact, be it  
18 private land, public land, whatever.

19 And so I just think that, as long as that's  
20 addressed in the environmental portion of this, the  
21 whole proposed site -- we're kind of guessing where it  
22 is. We know how much acreage it's going to be and what  
23 section and, you know, township it's in, but it's just,  
24 like I said, it's a little squishy. I just hope that  
25 we can receive enough testimony, with regard to the two

1 substation areas, to really make me feel that there  
2 isn't going to be an environmental impact no matter  
3 where it's placed within that acreage.

4 MR. ACKEN: Mr. Chairman, Committee Member  
5 Noland, our environmental panel will address that, and  
6 including in their discussion is an actual -- there are  
7 pedestrian surveys of the entire substation footprints,  
8 not the last ultimate one, but what we're requesting  
9 approval for.

10 CHMN. CHENAL: Member Woodall.

11 MEMBER WOODALL: Okay. You can say it's  
12 proprietary, it's confidential; but are the terms of  
13 your agreement with the landowner such that it's an  
14 everything kind of a deal? In other words -- And if  
15 you can't say, that's fine.

16 MR. NEMETH: So all infrastructure for the  
17 Project is included in our agreement with the  
18 landowner.

19 MEMBER WOODALL: Okay. And the landowner has  
20 already agreed to these -- potential for these  
21 substation sites; is that correct?

22 MR. NEMETH: I've met with the landowners,  
23 and we've provided them maps of the entire  
24 infrastructures proposed on their land.

25 MEMBER WOODALL: Okay. And you haven't heard

1 anyone jump up and down; is that correct?

2 MR. NEMETH: I have not.

3 MEMBER WOODALL: Okay. Do you anticipate  
4 that anyone is going to be objecting to that?

5 MR. NEMETH: There's some of the family  
6 members here in the audience. I've not had any of them  
7 say anything to me at this point.

8 MEMBER WOODALL: I see no flaming torches or  
9 pitchforks here, so thank you very much, sir. I  
10 appreciate your response.

11 CHMN. CHENAL: Just so we don't leave that  
12 without any -- without a little more clarity. We have  
13 generally, and I think it's evolved on the Committee,  
14 the level of specificity of how to define where a  
15 project is going to go. Sometimes we've used maps,  
16 sometimes we've used, you know, legal descriptions, and  
17 sometimes we've used kind of a combination of both.

18 And, I mean, I understand this Project, why  
19 it could be more flexible than other projects. But at  
20 the end of the day I think we're not doing our job  
21 unless we can say, with some certainty, you know, this  
22 Project is going to be somewhere in this finite area,  
23 either by legal description or with maps. And I just  
24 throw that out, I think that's something important.

25 How we do it -- I mean, I guess, like I

1 said, I think this is a project that lends itself to  
2 flexibility. But I just want to make sure that we  
3 don't end up, you know, at the last moment and, you  
4 know, there are some hiccups there. I just think we  
5 have to have something that makes it clear where this  
6 stuff is going to be, the substations.

7 MR. UNREIN: If I may, the applicant is  
8 confident that all the infrastructure that we're  
9 seeking approval for this week will be located within  
10 the footprints, the corridors shown on Figure A-2 of  
11 the CEC application and Exhibit A of the proposed CEC.  
12 We're highly confident that we will not be constructing  
13 any transmission infrastructure outside of those areas  
14 depicted.

15 CHMN. CHENAL: I can recall a case where we  
16 had the applicant provide a different scale of the  
17 maps. I think one of the problems here -- well, not  
18 problem, but, I mean, one of the things that's causing  
19 me a little difficulty is the scale is so great that  
20 the map kind of loses some significance. Maybe if the  
21 map -- if you had maps with a smaller scale, that could  
22 more clearly define the areas we're talking about, it  
23 would give some comfort, I think.

24 MR. ACKEN: Mr. Chairman, thank you for that.  
25 And I'm told that we can provide more granularity with

1 respect to scale. And what I'm envisioning -- I'm not  
2 making this promise, because we have to figure out  
3 what's possible -- but maybe a series of panels. So  
4 rather than one map for a 12-mile line, we have a  
5 series of panels to provide greater specificity. I  
6 believe that's something that we can provide before the  
7 end of the hearing.

8 CHMN. CHENAL: I think that would be great,  
9 and I think we've done that on at least one other case.  
10 And just try to appreciate that we're maybe hitting you  
11 with a lot of different things, but I think our goal  
12 here is so you're not surprised at the end and there's  
13 time to react to this. So some things might be out of  
14 order, but understand it's really we're trying to do a  
15 bit of a favor so we're not doing a drill, you know,  
16 fire drill at the end.

17 Member Woodall.

18 MEMBER WOODALL: Actually, I was going to say  
19 that I thought Mr. Acken's proposal sounded very good.  
20 And I don't know if any of the cultural resource  
21 surveys -- because it sounds like you surveyed all  
22 53 acres. I could be wrong regarding that. But I'm  
23 assuming that you have some mapping of that that might  
24 be flogged into shape to identify -- or something  
25 similar in your environmental studies. So I think that

1 would be very helpful, and I appreciate your proffering  
2 that.

3 MR. ACKEN: Thank you, Chairman, Committee  
4 Member Woodall.

5 So we just have a few concluding comments for  
6 Mr. Unrein at this time.

7 Are you good? Okay. I wanted to make sure  
8 the court reporter is okay.

9 BY MR. ACKEN:

10 Q. Mr. Unrein, was the CEC application prepared  
11 under your direction and supervision?

12 A. (BY MR. UNREIN) Yes.

13 Q. And is it true and accurate, to the best of  
14 your knowledge?

15 A. (BY MR. UNREIN) Yes.

16 Q. And I'd like you to provide any final  
17 comments you have for the Committee. And as you do so,  
18 also address the benefits to the regional transmission  
19 system from the Gen-Tie Line itself.

20 A. (BY MR. UNREIN) Sure. Firstly, we'd like to  
21 thank the Committee and other attendees for taking the  
22 time to come to beautiful Flagstaff this week and hear  
23 our application for a Certificate of Environmental  
24 Compatibility for the planned Chevelon Butte Wind  
25 Gen-Tie Project.

1           The Chevelon Butte Wind Farm and Chevelon  
2 Butte Wind Gen-Tie Projects are being sited in an area  
3 that avoids and minimizes impacts to natural resources,  
4 wildlife, cultural resources, and nearby property  
5 owners, which are sparse. The site is being located on  
6 a ranch that has been subject to over 130 years of  
7 cattle grazing and other human impacts, and is located  
8 in a very, very rural and remote area, with the nearest  
9 residence in Coconino County being nearly 8 miles from  
10 our nearest planned Project infrastructure, and most of  
11 the property owners to the east of us in Navajo County  
12 already bisected, between us and them, by three large  
13 existing APS transmission lines.

14           The Chevelon Butte Wind Gen-Tie Project is an  
15 ideal infrastructure improvement to bring hundreds of  
16 megawatts of clean wind energy to northern Arizona, all  
17 while using no water and creating no air emissions.

18           To quickly summarize the six needs and  
19 benefits that we've identified for the Chevelon Butte  
20 Wind Farm and Chevelon Butte Wind Gen-Tie Projects:  
21 The Project would more than double the amount of clean  
22 wind energy installed in Arizona; the energy generated  
23 would produce no air emissions and use no water; the  
24 planned Wind Farm and transmission facilities would not  
25 preclude existing land uses; we would more than double

1 the number of turbines installed on State land in  
2 northern Arizona, and therefore, the lease payments  
3 that go to public education and university  
4 beneficiaries; through property and sales taxes, jobs  
5 during construction and operations, and indirect  
6 spending during construction and operations, these  
7 Projects are expected to bring millions of dollars of  
8 economic benefit to Coconino County and Navajo County.

9           And before I talk about the last need and  
10 benefit, there's been various questions today regarding  
11 the Gen-Tie Line and its impacts on the regional  
12 transmission grid and intermittency of wind. What we  
13 can say is that this Project will not be built if  
14 there's no large generator interconnection agreement in  
15 place with APS. There will be no LGIA in place for  
16 this Project if we do not complete a system impact  
17 study and facility study and agree to all of the  
18 electrical safety and other infrastructure improvements  
19 that are needed to sustain grid reliability and  
20 electrical safety on these lines. So this Project will  
21 not be built if we don't meet or exceed all electrical  
22 safety standards.

23           Furthermore, as we've touched on one unit of  
24 Cholla, the Cholla Power Plant in Holbrook is already  
25 being shut down. We understand that the other two

1 units are being shut down in the coming years. So this  
2 Project is an ideal opportunity to utilize this  
3 existing transmission infrastructure building to this  
4 coal plant that will no longer be operational in a  
5 matter of years.

6 And lastly, many folks in northern Arizona  
7 are excited about our Project, including Winslow Mayor  
8 McCauley, who you heard from earlier, and the Winslow  
9 Chamber of Commerce, both of which are evidenced in  
10 Exhibits CVN 5 and CVN 7, respectively.

11 But the economic benefits we've outlined and  
12 most of the needs and benefits portrayed in today's  
13 testimony would be largely negated, if not completely  
14 foregone, if Arizona does not utilize in-state wind  
15 resources to meet its wind energy needs. There are  
16 success stories all around the country about the  
17 economic uplift that thoughtfully developed large wind  
18 projects can bring to rural communities; but again,  
19 only if that generating capacity is near those  
20 communities.

21 The Chevelon Butte Wind Farm and Chevelon  
22 Butte Wind Gen-Tie Projects have been diligently and  
23 ethically sited to avoid and minimize impacts to the  
24 greatest extent practicable, are located in one of the  
25 best wind resource zones in the state of Arizona, and

1 are an ideal opportunity for the State of Arizona to,  
2 again, develop its own large wind farm right here that  
3 will provide clean, cost-competitive power for decades.

4 Thank you.

5 CHMN. CHENAL: Well, thank you for your  
6 testimony. I think this would be a good time to take  
7 another break, because we've been at it for about 90  
8 minutes or so. And I'll probably have a couple  
9 follow-up questions, you know, when you come back, and  
10 maybe other Committee Members will just along the lines  
11 of -- Well, I'll give you a heads-up. It's partly the  
12 letter from the Corporation Commission back to me,  
13 their response on Page 2, just to maybe address a  
14 little more the benefits, you know, for having these  
15 Projects.

16 The second full paragraph talks about  
17 renewable generation portfolio. Maybe I want to ask a  
18 few questions about what your understanding is of what  
19 goals Arizona, or at least Arizona power companies, may  
20 have for percentage of renewable resources and how this  
21 would fit into that. And also, there's a reference to  
22 the storage, the battery storage elements, and I think  
23 we will maybe hear more about that. And just to beef  
24 up the record a little on the need for this and what  
25 this Project can offer.

1           So we'll come back and maybe we can follow up  
2 with that and any other questions the Committee has.  
3 So with that, let's take a 15-minute break, and then  
4 we'll see everyone back here.

5           (A recess was taken from 4:13 p.m. to  
6 4:43 p.m.)

7           CHMN. CHENAL: All right. Let's resume the  
8 hearing. It's roughly a quarter to 5:00. Couple  
9 housekeeping items.

10           I just became aware that some of the  
11 Committee Members have not had an opportunity to check  
12 in yet. So we'll go to 5:15 today, and that will allow  
13 sufficient time to, you know, check into the rooms and  
14 resume at 6:00 for the public hearing, for the public  
15 comment session.

16           Question to the applicant, Mr. Acken. Will  
17 this room be locked when we're not in session, such  
18 that we can leave our materials here?

19           MR. ACKEN: It will be, Mr. Chairman. I was  
20 just speaking with the facilities folks here. So it  
21 will actually be locked as soon as all of us leave the  
22 room tonight. They may come back -- Facilities may  
23 come back and like shift your space a little bit in  
24 order to create a little more room, but that's the only  
25 people that will have access once the last of us leaves

1 after public comment this evening.

2 CHMN. CHENAL: Very good.

3 Just as a reminder, the tour tomorrow will  
4 begin at 7:00. Do you anticipate that that will occupy  
5 most of the morning, Mr. Acken?

6 MR. ACKEN: Mr. Chairman, I do. We have the  
7 tour schedule and protocol set forth in what's been  
8 marked as CVN 11, and that contemplates a 7:00 start.  
9 And then just because of the driving that's required,  
10 you know, we thought this was a pretty realistic  
11 schedule to get us back to Flagstaff and to this  
12 location at 12:30 tomorrow.

13 MEMBER HAENICHEN: Where is the bus going to  
14 take off from exactly?

15 MR. ACKEN: That's a fair question. I'm  
16 going to turn it over to Mr. Unrein.

17 MR. UNREIN: Yeah, if I could provide a few  
18 details regarding our proposed tour. So, as scheduled,  
19 there will be a tour bus and driver picking the  
20 Committee up in front of the Drury Inn hotel at  
21 7:00 a.m. And you'll be riding separately, all of you  
22 will be riding on a tour bus with a dedicated driver,  
23 then we will have one or more cars leading the way  
24 going to the site.

25 As Mr. Acken said, it is a relatively far

1 drive. It will probably take us two, two and a half  
2 hours to get to our Project. We can stop for a  
3 restroom break in Winslow, Arizona. And we will have  
4 several cases of water and probably a couple packs of  
5 granola bars available.

6 But let it be known that it's a very rural  
7 location. We'll lose cell phone service probably a  
8 little ways south of Winslow, so there will be probably  
9 an hour or more where none of us will have cell phone  
10 service. Again, we'll have water and snacks. But if  
11 there's any dietary restrictions to where you can't  
12 wait until 12:30 or 1:00 p.m. for lunch when we return,  
13 please bring some snacks if you need that to maintain  
14 health. But, yeah, it will be a lot of driving time in  
15 a rural area, and we'll all lose cell phone service for  
16 a while.

17 CHMN. CHENAL: Now, this is a question for  
18 Mr. Acken. The notice of hearing does discuss the  
19 tour. And typically in the past, we have gone into  
20 session where the normal hearing location is, just to  
21 put it on the record that we're now leaving for the  
22 tour. Do you see any problem with us doing that at the  
23 hotel entrance, as opposed to this facility?

24 MR. ACKEN: Mr. Chairman, I do not. I  
25 believe the notice of hearing provides sufficient

1 flexibility to do that. It provides great detail about  
2 when and where the hearing is going to be held,  
3 including the tour, for that matter.

4 CHMN. CHENAL: Maybe, as a suggestion, we  
5 could have somebody from the applicant's representative  
6 just here at 7:00, just in case someone shows up, to  
7 let them know that we're going to be at the front of  
8 the hotel.

9 And then the court reporter, if I could ask  
10 that we be put on the record there before we leave,  
11 just a real short statement that we're now going to  
12 commence the tour from the hotel, and leave it at that.

13 Given that we're anticipated to come back at  
14 12:30, I'd like to set a time when the afternoon  
15 session will begin. Do you think 1:30 is -- if we come  
16 back around 12:30. And I think the applicant is  
17 providing lunch, if my understanding is correct.

18 MR. ACKEN: Yes, Mr. Chairman.

19 CHMN. CHENAL: And then would 1:30 be a time  
20 to resume in the afternoon, or should it be a little  
21 later to give us a little more flexibility? Just  
22 looking for suggestions here from either the Committee  
23 or the applicant.

24 MEMBER HAMWAY: I would think 1:30 at the  
25 latest.

1 CHMN. CHENAL: Member Woodall.

2 MEMBER WOODALL: Are we going to be driving  
3 on any dirt roads at all?

4 MR. UNREIN: Yes, we will. It's going to be  
5 at the discretion of the tour bus driver to see how far  
6 they're comfortable driving your bus down the dirt  
7 ranch roads. We would like to get in as far as we can,  
8 and we'll also have several pairs of binoculars  
9 available for you to see as much of the 42,000-acre  
10 site as you can. But we'll -- The tour bus driver  
11 will probably not be comfortable driving very far into  
12 the dirt roads.

13 MEMBER WOODALL: And can you tell us what you  
14 think the weather is going to be like? I'm not  
15 suggesting you're omniscient, but I'm assuming you've  
16 looked at that.

17 MEMBER PALMER: While he's looking that up, I  
18 notice we have a stop in Winslow. Is there going to be  
19 an opportunity for standing on the corner?

20 (Laughter.)

21 MR. UNREIN: The weather tomorrow is a high  
22 of 72, and I'm not seeing any percent chance of  
23 precipitation. So the dirt roads should be perfectly  
24 dry; but if they are muddy, it will further reduce the  
25 amount of travel we're doing on dirt roads. Again,

1 it's a very rural location with no cell phone service,  
2 so we don't want to do anything risky with the  
3 vehicles.

4 MEMBER WOODALL: At one time when we did  
5 these tours, I drove the passenger van, and at one time  
6 I was trapped in sand and had to be towed out, and it's  
7 just part of the Line Siting lore.

8 (Laughter.)

9 MEMBER WOODALL: So I was just wondering if  
10 we had the possibility of another adventure, and mine  
11 wouldn't be the sole rescue on a tour.

12 MR. UNREIN: We are going to have a couple  
13 cans of Fix-a-Flat on hand, because all of us that have  
14 been on site have gotten flat tires from the cacti and  
15 rock.

16 CHMN. CHENAL: Well, all right. Let's plan  
17 on resuming the hearing at 1:30 tomorrow, for the  
18 benefit of those who might not be attending the tour.

19 And let's proceed now, Mr. Acken, and we'll  
20 go to 5:15.

21 MR. ACKEN: Thank you, Mr. Chairman. We had  
22 concluded our direct with this panel. If you would  
23 like, I could ask Mr. Unrein to provide some additional  
24 context regarding the Utilities Division Staff letter  
25 and go from there.

1 CHMN. CHENAL: Perfect, thank you.

2 BY MR. ACKEN:

3 Q. Mr. Unrein, if you would turn to what has  
4 been marked for identification as CVN 8. And, again,  
5 for the record, this is the letter from the Utilities  
6 Division of the ACC, Director, dated September 4th, to  
7 Chairman Chenal in response to Chairman Chenal's  
8 invitation to provide comments.

9 And if you would, turn to Page 2 of that  
10 letter and the second full paragraph. The Chairman  
11 asked you to provide some context about how this  
12 Project can help Arizona meet renewable portfolio  
13 standard goals. Can you elaborate on that?

14 A. (BY MR. UNREIN) Yeah. So currently, to our  
15 knowledge, Arizona Public Service Electric Company has  
16 a renewable portfolio standard of 15 percent by 2025.  
17 We believe, and we're aware, that there's pretty  
18 frequent policy and legislation that's being proposed  
19 to increase the aggressiveness of that renewable energy  
20 portfolio standard. But the RFP from APS that we've  
21 mentioned, at a high level, we're viewing that as  
22 willing buyer, willing seller, with additional wind  
23 capacity that APS is actively seeking. We can't speak  
24 for APS, if there are specific motives behind this  
25 recent RFP, or specifically with respect to Arizona's

1 current RPS, or if there's seeking additional wind and  
2 solar and energy storage capacity for other reasons.

3 So we don't exactly know the motive behind  
4 this recent RFP. We do think that, in the absence of  
5 this RFP, that APS is pretty close to already meeting  
6 their RPS. So, again, we don't know exactly why that  
7 RFP came out.

8 But specifically with respect to this letter,  
9 it does somewhat mirror a lot of the needs and benefits  
10 in testimony that we've provided today, in that it  
11 talks about the socioeconomic and environmental  
12 benefits of the Wind Farm and how the Gen-Tie Project  
13 that's the subject of today's hearing is an integral  
14 part of that to bring those benefits to the state of  
15 Arizona, and how the two different projects, the  
16 transmission facilities and Wind Farm, are closely  
17 tied. And it also speaks to energy storage, and that  
18 could potentially have the ability to provide backup  
19 power that's useful in case of outages in the region.

20 So ACC Staff does point out a number of  
21 benefits that we've illustrated today from  
22 socioeconomic benefits, economic benefits, air  
23 emissions, water use, a lot of the stuff we've touched  
24 on. And it also says that this Project could  
25 potentially contribute to improving the reliability of

1 operating a safe electrical grid.

2 CHMN. CHENAL: Member Woodall.

3 MEMBER WOODALL: I note there's a conditional  
4 there, if a battery is used. And I'm wondering what  
5 your intentions are in that regard, and if you could  
6 comment with respect to some of the recent tragic  
7 events involving battery fires and why your battery, if  
8 you're proposing one, is not going to explode on us.  
9 That would be helpful.

10 MR. UNREIN: Sure. So we are -- you know, we  
11 did include a reference of energy storage in our  
12 application -- in our CEC application that's the  
13 subject of today's hearing, and we're similarly doing  
14 the same thing with our local land use permit  
15 applications with Coconino and Navajo County. But  
16 really us implementing energy storage is up to the  
17 off-taker. Adding energy storage to a Project  
18 basically transforms what that energy profile looks  
19 like, and that's completely driven by the off-taker.

20 So sPower as a company, we're at the  
21 forefront of energy storage, and one of our parent  
22 companies is one of our preferred battery providers.  
23 And we have a full staff of energy storage engineers  
24 and market analysts that are proposing this technology  
25 across the country, and we're actively negotiating

1 utility contracts with energy storage.

2 But, again, the implementation of energy  
3 storage at the Chevelon Butte Wind Farm is contingent  
4 upon the off-taker's desire. So if APS wanted it, we  
5 would do everything we could, and we would work towards  
6 building that infrastructure.

7 MEMBER WOODALL: I have a question. Why  
8 would an off-taker want anything less than firm? Why  
9 would they want to have variable? I mean, wouldn't  
10 they all want to have that? And I don't know the  
11 economics of this, so I'm asking a sincere question.

12 MR. UNREIN: You know, I think it's largely  
13 driven by what you just touched on, economics. Battery  
14 storage in the United States is, you know, it's been a  
15 drastic decline in cost, and it's now at a point where  
16 utilities are open and willing to entertain the concept  
17 of building energy storage under their projects.  
18 Whereas previously, you know, even a year or two ago,  
19 they might not -- the pricing of that component might  
20 not have been palatable to them.

21 But the cost, just like we've seen solar  
22 panels in the last several years, it's just plummeting.  
23 So now everyone is taking a really hard look, and  
24 everyone's very interested in energy storage.

25 MEMBER WOODALL: I don't know if you know

1 this or not, but there's a lot of discussion at the  
2 Arizona Corporation Commission about whether or not APS  
3 should be prohibited from getting more natural gas  
4 generation, even if contracts are building plants. So  
5 who knows what's going to happen with that, but that  
6 might make a battery thing a little more attractive.  
7 If the Commission should impose such a moratorium,  
8 would you agree?

9 MR. UNREIN: Yes. Currently in markets where  
10 energy storage is not a major driver, natural gas  
11 peaker plants, which are able to ramp quickly up and  
12 down, are one of the solutions to complement renewable  
13 energy. And if -- Yeah. If there was a moratorium on  
14 new fired gas -- or, new build gas fired generation,  
15 then the other natural option would be energy storage.

16 MEMBER WOODALL: What was the size of the  
17 storage project that you described in your various  
18 applications?

19 MR. UNREIN: So we have not performed  
20 detailed engineering with energy storage, nor have we  
21 made final selections on the footprints or the types of  
22 systems that will be installed. We're just including  
23 it conceptually. And if we do decide to pursue energy  
24 storage at this site, based on feedback from one or  
25 more off-takers, that would be fully detailed in our

1 building permit applications with the counties, which  
2 would undergo -- you know, that's where we submit a  
3 very large material -- or, a package of different  
4 engineering and design details. So that's where really  
5 all of the details of potential battery storage would  
6 be vetted by the agencies.

7 MEMBER WOODALL: Okay. You know how many  
8 windmills -- or, wind turbines you're proposing, you  
9 know how many megawatts they generate. So can you give  
10 me an informed speculation as to the size of any  
11 battery? And if you say no, that's fine.

12 MR. NEMETH: No, no, happy to share this. So  
13 we are actually now -- either, I expect, this week, or  
14 it was already done, we are going to be submitting a  
15 storage into the queue position with APS to have that  
16 as part of the studies being done on the site. If I  
17 recall correctly, I believe we were looking at a  
18 200-megawatt battery storage for the site.

19 MEMBER WOODALL: And is that separate from  
20 the 477 that you have in the original?

21 MR. NEMETH: Yes, that would be completely  
22 separate from it.

23 MEMBER WOODALL: So do you have the same  
24 place in the queue or is this a separate project?

25 MR. NEMETH: It would be a separate queue

1 position.

2 MEMBER WOODALL: Thank you. And after this  
3 is all over and done with, I might look it up. Thank  
4 you.

5 MR. UNREIN: And just to add on the  
6 footprint, that is -- you know, we've talked about  
7 various desires of optionality, why we're proposing  
8 bigger footprints on Substation 1 and Substation 2, to  
9 provide for optionality of that infrastructure, but one  
10 of the other reasons is any energy storage at the site  
11 would also be adjacent to those two substations. And  
12 the footprints are not huge, but that's another driver  
13 for why we're seeking a slightly bigger footprint,  
14 because the energy storage would be right next to the  
15 two collector substations.

16 CHMN. CHENAL: So a question. The letter  
17 from the Corporation Commission refers to the battery  
18 storage element of the Wind Farm. What is the battery  
19 storage element of the Wind Farm?

20 MR. NEMETH: Excuse me. As I mentioned,  
21 either this week, or I think it may have been already  
22 been submitted, the interconnection request for doing  
23 storage at the site. We wanted to make sure that we  
24 had that optionality in there so if an off-taker was  
25 interested in having storage along with the Wind Farm,

1 we would be able to provide it to them.

2 CHMN. CHENAL: So can you describe what that  
3 might look like, what kind of options are available? I  
4 think a little more description of the battery storage  
5 technology that might be available for this Project is  
6 what I'm looking for.

7 MR. NEMETH: To be honest, I'm not really  
8 equipped to be able to talk about the different battery  
9 storage technologies. I can talk well about wind, but  
10 storage is not my area of expertise.

11 CHMN. CHENAL: You just mentioned that the  
12 storage capacity would be up to 200 megawatts?

13 MR. NEMETH: That is correct.

14 CHMN. CHENAL: So the battery -- At least  
15 one possibility would be battery storage capacity of  
16 200 megawatts. And how long could the batteries store  
17 that properly -- that power? Excuse me.

18 MR. NEMETH: You mean for it to be able to  
19 disperse the power that is in it, or are you talking  
20 like a two-hour or a four-hour --

21 So we've not finalized, at least to my  
22 knowledge, on if it would be like a two-hour or a  
23 four-hour period, and I think that some are even  
24 discharging at six hours. That is something that we  
25 would be able to shape with the off-taker on it, is on

1 what that discharge would look like.

2 Obviously, they may have their peak hours in  
3 which, you know, from 4:00 until 8:00 everybody's  
4 air-conditioning kicks on a lot higher or something,  
5 which they may be wanting a more firm power during that  
6 time period. And so in working with the off-taker, we  
7 would provide a shape of energy that helps best meet  
8 what their requirements are.

9 Did that help?

10 CHMN. CHENAL: Yes, it does.

11 Member Woodall.

12 MEMBER WOODALL: Okay. So you're talking  
13 about the wind Project itself being phased. If you  
14 were going to have a battery project associated with  
15 the wind, that battery project would be phased as well;  
16 is that correct or not?

17 MR. NEMETH: I have not considered whether or  
18 not we would do that as a phase or not.

19 MEMBER WOODALL: Okay, thank you. I  
20 appreciate your response.

21 CHMN. CHENAL: Any further questions on  
22 those matters? Member Haenichen, any question on  
23 battery storage technology and how long the storage  
24 can --

25 MEMBER HAENICHEN: Sure, I'll chime in.

1           First of all, it's not proper to describe  
2 storage as megawatts. Megawatts is power. Energy is  
3 megawatt hours. So I think that's what you meant.

4           But in the application for utilities,  
5 electricity is going to be going in and out of the  
6 storage all day long. It's not just the factor of the  
7 usage, but it's the fact that the -- particularly with  
8 solar this is true -- it overproduces at noon. And,  
9 you know, if you size it for a particular application,  
10 there's leftover capacity at noon, so that's where you  
11 want to store that, but then immediately that gets  
12 dumped back in at 5:00 in the afternoon. So that's how  
13 you characterize an electrical storage system.

14           CHMN. CHENAL: And then these storage -- If  
15 the storage is part of the Project and that technology  
16 is utilized, that storage capacity would be at the  
17 substations; is that correct?

18           MR. UNREIN: Yes.

19           MR. NEMETH: Yes, that is our intent.

20           CHMN. CHENAL: And these lines, then, the  
21 subject of this application, would be used to bring the  
22 power from the battery storage online and connect into  
23 the power, the transmission line?

24           MR. NEMETH: Correct.

25           CHMN. CHENAL: That's clear. I just want to

1 make sure the record is clear on that as an additional  
2 factor to meet the needs of why this Project might be  
3 appropriate for -- from a needs analysis.

4 So does the Committee have any more questions  
5 of the panel?

6 (No response.)

7 CHMN. CHENAL: Mr. Acken, if you have any  
8 follow-up questions, fine; if not, we might have time  
9 to start with the next panel.

10 MR. ACKEN: Mr. Chairman, nothing further  
11 for this panel today. We do have a few follow-up  
12 items with respect to maps, public notice, and perhaps,  
13 you know, a little bit more on the battery side of  
14 things. And so what I would propose is maybe we could  
15 bring them back on later tomorrow or Wednesday,  
16 depending on what kind of progress we make after the  
17 tour.

18 CHMN. CHENAL: That would be fine.

19 MR. ACKEN: Okay, thank you.

20 Would you like me to call the next panel?  
21 We're kind of at a tweener spot.

22 CHMN. CHENAL: You know, I think this is a  
23 good time to recess for the evening. We were going to  
24 recess at 5:15; it's almost 5:10. So let's save that  
25 excitement for tomorrow.

1           And we'll meet here at -- Well, we'll meet  
2 in front of the hotel at 7:00. And, again, if you  
3 could have a representative of the applicant here just  
4 to shepherd anyone over there if they happen to come  
5 here.

6           Are there any other matters we should discuss  
7 before we adjourn for the evening? Does the Committee  
8 have anything?

9           (No response.)

10          CHMN. CHENAL: Does the applicant have  
11 anything?

12          MR. ACKEN: Nothing. Oh, Mr. Unrein has  
13 something.

14          MR. UNREIN: So are we re-adjourning here  
15 tonight at 6:00 p.m. --

16          CHMN. CHENAL: Yes.

17          MR. UNREIN: -- for the public comment  
18 session?

19          CHMN. CHENAL: The public comment session  
20 will resume this evening at 6:00 p.m. That's just to  
21 take public comment. Just so you know, we do not  
22 engage in dialogue with people who provide public  
23 comment; we simply take their public comment. It's not  
24 technically evidence, but it informs the Committee and  
25 helps us maybe ask questions or dig into things with a

1 little more vigor. But our hearing will commence  
2 tomorrow at 7:00 for the tour.

3 So with that, we'll adjourn, and we'll see  
4 everyone back here at 6:00 p.m. this evening.  
5 Thanks.

6 (The recess was taken from 5:07 p.m. to  
7 6:01 p.m.)

8 CHMN. CHENAL: Good evening, everybody. My  
9 name is Tom Chenal, and I chair the Line Siting  
10 Committee. This is the Line Siting Committee hearing  
11 the application on the Gen-Tie Line in the Chevelon  
12 Butte area, and this is the time set for public  
13 comment.

14 We do this in all of our hearings. We're  
15 very interested in what the public has to say. And  
16 while it's not technically evidence, it's information  
17 that we use to help us ask questions and focus on  
18 aspects of the application we might not otherwise have  
19 focused on.

20 We heard testimony this afternoon. We're  
21 going on a tour tomorrow to the project site. We will  
22 resume the hearing tomorrow afternoon at 1:30, and  
23 we'll probably go -- I'm sure we'll go into Wednesday.  
24 And probably then we'll begin deliberations on whether  
25 or not to issue a Certificate of Environmental

1 Compatibility with certain conditions attached to that,  
2 which not only sites where the line can be placed, but  
3 also has mostly environmental conditions attached to  
4 take into consideration, you know, concerns expressed  
5 by the public.

6           So this is very important to hear -- that we  
7 hear what you have to say. We ask you to try to keep  
8 your comments to about 3 minutes. If you need more  
9 time, we're flexible; but if you can keep it to 3, that  
10 would be appreciated.

11           We are not allowed to engage in a dialogue;  
12 we can only hear what you have to say, but it's very  
13 important that we have the opportunity to do that. So  
14 when you go up and we'll call -- I'll just ask for  
15 people to come up and you can make your comment, and  
16 then the next person can come up. But please make sure  
17 you sign in. It's important that we have a record of  
18 who spoke and some way to get in touch with you, so if  
19 later there's a change to what we do and there's  
20 additional hearings we can notify you. And that's one  
21 of the things we put in the CEC, if we issue it, is a  
22 requirement that anyone who's shown up and made public  
23 comment is notified of anything further that happens in  
24 the process. So make sure you do that.

25           So are there any comments from the

1 Committee before we begin? From the applicant, any  
2 comments?

3 MR. ACKEN: No. Thank you, Mr. Chairman, no.

4 CHMN. CHENAL: Okay. Member Woodall.

5 MEMBER WOODALL: I would just say that, for  
6 those of you that may have questions, that we will  
7 unfortunately be unable to answer, I would recommend  
8 that you approach these two gentleman, Mr. Acken and  
9 Mr. Unrein, if you have questions about the project.  
10 Thank you.

11 CHMN. CHENAL: All right. With that, we'd  
12 like to hear from you, so don't be shy. Step up and  
13 take the microphone, announce your name, and we are  
14 interested to hear what you have to say.

15 MR. O'ROURKE: Sure. My name is Brian  
16 O'Rourke. I live in Mogollon Ranch, in Happy Jack,  
17 purchased the house two years ago. Lived in Colorado  
18 prior to that, and development kind of forced us out of  
19 our home, and so we purchased this property. It's a  
20 5-acre parcel out in Mogollon Ranch, it slopes  
21 northward, and the property looks out to exactly  
22 Chevelon Butte, and so from our house we can see  
23 exactly where all of these towers are supposed to be  
24 put.

25 I can't say I'm real happy about it. I'm

1 sure there's certain restrictions on how much I can  
2 influence things. But, you know, we purchased out  
3 there with that view specifically. We did not want  
4 to be in the pines; we wanted to have the vistas,  
5 because in Colorado we had the vistas and we were used  
6 to that.

7 I think there's a couple of points that I  
8 wanted to make. One was Chevelon Butte itself -- I  
9 don't know, have any of you guys read Zane Grey's  
10 books? There's one specifically where he mentions  
11 several times the Chevelon Canyon and the Chevelon  
12 Butte in the book itself, and I find that to be -- his  
13 descriptions of the area to be very appropriate, valid.  
14 And the book that I'm referencing, I believe it's The  
15 Tales of Lonely Trails, was written back in 1919. And  
16 I just find -- I was attracted to that area because of  
17 that, and I feel like, at this point, I'm a little  
18 upset with the development that's proposed to take  
19 place there.

20 The second point I wanted to make was, I  
21 lived off grid for 17 years in Colorado. I had a wind  
22 turbine, also had solar, had good experience with that.  
23 I know these things break and I know they don't last  
24 forever. And I know as we move 20, 30 years from now  
25 away from this type of energy because of development,

1 technological advances, I want to know what the plan is  
2 for moving these towers when the project is done and  
3 where the funds are going to come from to do that.  
4 Because otherwise, I think they're going to be an  
5 eyesore for many generations to come. Thank you.

6 CHMN. CHENAL: Thank you, Mr. O'Rourke. Good  
7 example of things that we -- you know, the benefit of  
8 things you said will play out in the conditions that we  
9 impose on this project. So thank you for your  
10 comments.

11 Anybody else?

12 Sir, please state your name, and we'll hear  
13 what you have to say.

14 MR. DICKENS: Richard Dickens. I live in the  
15 same community that Brian does, a few miles -- a few  
16 miles up from him.

17 My greatest concern is probably property  
18 value. You know, I've read some things that talks  
19 about negative impact of property value when these wind  
20 farms go in. I don't know -- you know, I know that --  
21 I guess it depends on whose information you're reading  
22 and where you're pulling information from. I'm smart  
23 enough to realize that, you know, you have different  
24 sides of this.

25 So I guess my question would be: What is

1 your guys -- you know, with the information you have,  
2 what does it say the property value from, you know, the  
3 areas that are impacted from a visual standpoint, what  
4 do you tend to see on that?

5 CHMN. CHENAL: And, Mr. Dickens, let me just  
6 interrupt for a second. That's something, if you could  
7 ask those questions offline.

8 MR. DICKENS: Okay.

9 CHMN. CHENAL: Because in the context of the  
10 public comment proceeding, we want to hear what you  
11 have to say, and we can't really get into a dialogue.

12 MR. DICKENS: Got you. Okay, so I  
13 misunderstood what you were saying.

14 CHMN. CHENAL: But I would invite you -- I  
15 know the applicant will answer the questions to the  
16 extent they can.

17 MR. DICKENS: So I guess, then, I would say  
18 that my concerns are similar to Brian's, just, you  
19 know, from a visual standpoint from my home, and then  
20 the impact to the environment from birds. And I know  
21 that we have a lot of birds, a lot of migratory birds  
22 and bats, and so I have a concern from that standpoint.  
23 We enjoy birds and just kind of our views in this place  
24 that we bought, and didn't really ever imagine  
25 something like this would be going in when we purchased

1 the property three years ago.

2 CHMN. CHENAL: Thank you, sir.

3 Anybody else have comments they'd like to  
4 make? Don't fight for the microphone.

5 (Laughter.)

6 MS. BACHTELL: My name is Debbie Bachtell,  
7 and I live in Happy Jack. I'm not near -- anywhere  
8 near where they'll be putting in these wind turbines  
9 possibly, windmills.

10 Anyway, I think it's so important that we,  
11 you know, look forward to what's happening, and I think  
12 these homeowners understand exactly why these windmills  
13 are important. Because, you know, we can't live for  
14 today. We have to look forward to what's going to  
15 happen down the line. We're going to need energy from  
16 alternate sources, not fossil fuels, et cetera. So I  
17 think maybe some other people that are here feel the  
18 way I feel. Of course, I'd hope that there were  
19 environmental studies done that would address these  
20 issues of the birds and the bats and important things.

21 And I am -- I'm surprised that we can't ask  
22 these people directly, too, because I think all of us  
23 would like to hear the responses to the concern of  
24 these homeowners. And, you know, I do have -- You  
25 know, as I said, I have empathy for them, but, you

1 know, I feel like we just have to be a little more  
2 forward thinking about down the road, you know, how  
3 we're going to survive, you know, in the future. And,  
4 you know, I would hope that some other people feel the  
5 same way I do, and, you know, I wish they could address  
6 some of these concerns.

7 CHMN. CHENAL: Well, ma'am, they can offline.

8 MS. BACHTELL: I understand. But we're all  
9 here, you know?

10 CHMN. CHENAL: No. I'm saying you can ask  
11 them right as soon as we finish with this.

12 MS. BACHTELL: I know, but then we hear one  
13 on one and not all of us hear their response. I mean,  
14 we can all walk over there. We could do that, couldn't  
15 we? So that might be a good idea, for us to gang up on  
16 these guys and see what they have to say and address  
17 the concerns of the homeowners and the concerns of the  
18 people that, you know, want to move Arizona forward in  
19 getting these windmills working so that we can somehow  
20 divorce ourselves from the fossil fuel industry.

21 And, of course, I used to live in California,  
22 so that makes me a little weird. But I -- You know, I  
23 remember going through Palm Springs area and seeing  
24 these windmills, and I thought they were beautiful; so  
25 I'm kind of weird that way, but, you know, I don't own

1 property there. So, you know, I'm kind of torn, but I  
2 hope we, you know, address these concerns.

3 CHMN. CHENAL: Thank you.

4 Okay, one thing. May I ask the two gentlemen  
5 how far away -- I'm going to break my own rule -- how  
6 far away you live from where the proposed site is going  
7 to be?

8 MR. O'ROURKE: By the way the bird flies, I  
9 think it's about 8 to 10 miles.

10 MRS. DICKENS: The paperwork says 8.

11 MR. O'ROURKE: 8.

12 CHMN. CHENAL: Okay, thank you.

13 Member Noland.

14 MEMBER NOLAND: Thank you, Mr. Chairman.

15 To your point, Ms. Bachtell, later on in the  
16 hearing as we go along, though it's not tonight, we're  
17 listening to everyone, but we do talk about wildlife  
18 and birds and many of those things. And earlier I  
19 asked about the reason that these turbines are white;  
20 and it has to do with FAA regulations. And I'm not  
21 sure about the birds; we've talked about that in other  
22 hearings and so on.

23 But we will get into some of those things,  
24 and we do appreciate all of your comments. We get into  
25 viewsheds, all of that, that's part of what we do. So

1 that will be coming. Hopefully we represent you as the  
2 public. And I represent you as someone from that area,  
3 a little further away, not the viewshed. But thank you  
4 for coming tonight and letting us know. We appreciate  
5 it.

6 CHMN. CHENAL: Okay, I think there's someone  
7 else that would like to speak. Please announce your  
8 name.

9 MRS. DICKENS: I'm Lucy Dickens; I'm  
10 Richard's wife. And so, yes, as they mentioned, our  
11 whole community is personally impacted, not only by the  
12 views, and what we've seen of the studies of decreased  
13 property values and all that, our special retreat  
14 there.

15 I do understand there needs to be alternative  
16 energy efforts; however, in reading these reports,  
17 these are designed to be, I believe, 775 feet tall, a  
18 hundred feet higher than the butte. And so I feel like  
19 why do they have to be the tallest ones in the world?  
20 I mean, if the farm has to go in, then maybe we can be  
21 looking at shorter ones that aren't going to be -- or  
22 push it back further so that it's not in such a view of  
23 these communities. I don't know why they have to be  
24 the tallest in the world right here outside of Winslow  
25 and in our view. So if you could look at that, that

1 would be awesome. Thank you.

2 CHMN. CHENAL: Are there any other people  
3 that would like to speak?

4 (No response.)

5 CHMN. CHENAL: I'm sure the applicant will  
6 stick around or make themselves available now or some  
7 other time to answer questions you have. Is that --

8 MR. ACKEN: Mr. Chairman, we will stay after  
9 to speak with the members of the public that came out  
10 here tonight as long as they'd like to engage with us.

11 On behalf of the applicant, my name is  
12 Bert Acken; I am the external counsel on this project.  
13 And we very much appreciate the public coming out and  
14 realize it's a commitment and it's a sacrifice to come  
15 out. So we will be here and answer your questions, to  
16 the extent that you want, tonight.

17 CHMN. CHENAL: Thank you. I will let the  
18 public know that tomorrow morning we have a tour  
19 starting at 7:00 a.m., and we're going to leave here  
20 and visit the project site. The hearing will resume  
21 tomorrow afternoon at 1:30. We don't know exactly how  
22 far we're going to get; we might finish the testimony,  
23 we might not. But in all probability, Wednesday we'll  
24 be working at some time on the Certificate of  
25 Environmental Compatibility, at which time we will

1 discuss various conditions to place on the project if  
2 we approve the Certificate.

3 Now, our jurisdiction is only with regard to  
4 a line that the -- the Gen-Tie Line, transmission line,  
5 between the Wind Farm and where it connects to the  
6 transmission lines, about 12 miles. We don't have  
7 jurisdiction over the Wind Farm itself, based on our  
8 statutes. So our jurisdiction is just on the power  
9 line connecting the Wind Farm to the transmission  
10 lines.

11 But I wanted to let you know our schedule; if  
12 anyone wants to appear, we can take additional comment.  
13 And, you know, we certainly appreciate the comments  
14 you've made this evening, and we will take those items  
15 that you said into consideration, to the extent we can,  
16 in connection with the process and hearing as it  
17 unfolds.

18 Member Woodall.

19 MEMBER WOODALL: Mr. Acken, would you be so  
20 kind as to inform the members of the public here  
21 regarding the pending permits and the opportunities  
22 that they may have to comment regarding the wind  
23 turbines themselves?

24 MR. ACKEN: Mr. Chairman, Committee Member  
25 Woodall, the best person to do that is sitting to my

1 right, Mr. Unrein, who is the senior permitting manager  
2 for the project. So I'd ask him to answer that  
3 question.

4 MEMBER WOODALL: That would be great. Just  
5 so they know that they have other avenues to express  
6 their concerns about the wind project. That would be  
7 great. You don't have to answer now. I'm just saying  
8 when you chat with them.

9 CHMN. CHENAL: Now, this is -- we're going  
10 off afield here. So you guys will stick around, the  
11 applicant will stick around and answer the questions of  
12 the public.

13 Are there any other -- I understand there's  
14 another gentleman who -- or, some people who entered  
15 the room. If they'd like to speak and make public  
16 comment, we'd like to have them step up to the  
17 microphone and announce their name. And anything they  
18 have to say, we'll listen to.

19 Just announce your name and tell us what  
20 you'd like to say.

21 MR. HAM: Sure. Tim Ham, I'm from the Happy  
22 Jack area. So the windmills that are being considered  
23 is obviously at the very top. We can see the butte  
24 that is being referred to. I've sent a letter already  
25 looking at it, and I think my biggest concern is the

1 height, 750 feet. When I started thinking about this  
2 and looking how high, I can't find anything 750 feet,  
3 other than the butte out there.

4 You put up a drone, which I did, I can't even  
5 see it. You lose sight of it. It's two and a half  
6 football fields high. I mean, it's just unbelievable.  
7 And then when I started looking at what's the average  
8 that's out there, it's like 300 feet, 350; and we're  
9 talking 750 feet.

10 Our community is very small, but at the same  
11 time -- when I say "small," I mean there's 200-and-some  
12 lots out there. The homes are very expensive. We  
13 moved there for a purpose and a reason; and to have  
14 that and it be visual, it's just not acceptable. I  
15 mean, I can't emphasize it enough, 750 feet. I mean,  
16 it's just mind boggling. I can't even believe it's  
17 being entertained.

18 And that was my biggest concern is the height  
19 of these things, and it really needs to be considered.  
20 And I understand that the height, you get more money,  
21 generates more electricity, I get it. But we are the  
22 ones that are going to see it. You won't here, you're  
23 not going to in Phoenix, but we will, and it's just not  
24 acceptable. Thank you.

25 CHMN. CHENAL: Thank you, sir.

1 Are there any other comments?

2 (No response.)

3 CHMN. CHENAL: Does the Committee have  
4 anything to add at this point before we adjourn?

5 (No response.)

6 CHMN. CHENAL: All right. I want to thank  
7 the public again for taking the time to come out here.  
8 I know some of you traveled a pretty far distance to  
9 make these comments, and they are important to us, we  
10 want to make a record of it. And I can assure you that  
11 we will, to the extent of the jurisdiction that we have  
12 over the aspect of the Project that we are authorized  
13 to sit and hear, which is the transmission line that  
14 connects the Wind Farm to the transmission line, not  
15 the Wind Farm itself, we will take the comments to  
16 heart in our deliberations and the conditions will be  
17 fashioned in the event this Committee issues a CEC. So  
18 thank you again.

19 Is there anything further, Mr. Acken?

20 MR. ACKEN: No, Mr. Chairman. Thank you.  
21 And again, on behalf of the applicant, we appreciate  
22 all the folks coming out tonight. And we will be here,  
23 as I said earlier, as long as you'd like to discuss.  
24 Thank you.

25 CHMN. CHENAL: All right, thank you. We'll

1 adjourn and we'll see everyone here tomorrow at  
2 7:00 a.m., those that are going to take the tour. And  
3 again, that will be at the entrance of the hotel, not  
4 in this room. Thank you, everyone.

5 (The hearing recessed at 6:21 p.m.)

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1 STATE OF ARIZONA )

2 COUNTY OF MARICOPA )

3

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

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

13 I CERTIFY that I have complied with the  
14 ethical obligations set forth in ACJA 7-206(F)(3) and  
15 ACJA 7-206 J(1)(g)(1) and (2). Dated at Phoenix,  
16 Arizona, this 22nd day of September, 2019.

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KATHRYN A. BLACKWELDER  
Certified Reporter  
Certificate No. 50666

21

22

23 I CERTIFY that Coash & Coash, Inc., has  
24 complied with the ethical obligations set forth in ACJA  
25 7-206(J)(1)(g)(1) through (6).

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