

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE ARIZONA POWER PLANT

AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF)
 ARIZONA PUBLIC SERVICE COMPANY, IN) DOCKET NO.
 CONFORMANCE WITH THE REQUIREMENTS OF) L-00000D-21-0257-
 ARIZONA REVISED STATUTES 40-360,) 00190
 ET SEQ., FOR CERTIFICATES OF)
 ENVIRONMENTAL COMPATIBILITY FOR THE) LS CASE NO. 190
 WESTWING 230 KILOVOLT (KV))
 INTERCONNECTION PROJECT, WHICH)
 AUTHORIZES THE CONSTRUCTION OF A NEW)
 SINGLE-CIRCUIT 230KV TRANSMISSION)
 LINE ORIGINATING AT THE WESTWING)
 SUBSTATION (SECTION 12, TOWNSHIP 4)
 NORTH, RANGE 1 WEST) AND TERMINATING)
 AT THE PLANNED AES BATTERY ENERGY)
 STORAGE SYSTEM SUBSTATION (SECTION 1,)
 TOWNSHIP 4 NORTH, RANGE 1 WEST),)
 LOCATED IN PEORIA, MARICOPA COUNTY,)
 ARIZONA.) PREFILING
) CONFERENCE

At: Phoenix, Arizona
 Date: July 1, 2021
 Filed: July 22, 2021

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COASH & COASH, INC.
 Court Reporting, Video & Videoconferencing
 1802 N. 7th Street, Phoenix, AZ 85006
 602-258-1440 staff@coashandcoash.com

By: Colette E. Ross, CR
 Certified Reporter
 Certificate No. 50658

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO EXHIBITS

NO.	DESCRIPTION	IDENTIFIED
1	Project Proposed Route	11
2	Proposed Notice of Hearing	16
3	Notification Area	13
4	Proposed Sign Locations	15

1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard via
3 videoconference before the Arizona Power Plant and
4 Transmission Line Siting Committee, 1200 West Washington
5 Street, Phoenix, Arizona, commencing at 3:34 p.m. on the
6 1st of July, 2021.

7
8 BEFORE: Thomas K. Chenal, Chairman

9 APPEARANCES:

10 For the Applicant:

11 SNELL & WILMER, L.L.P.
12 By Mr. Matt Derstine
13 One Arizona Center
14 400 East Van Buren, Suite 1900
15 Phoenix, Arizona 85004

16 and

17 PINNACLE WEST CAPITAL CORPORATION
18 Law Department
19 By Ms. Linda Benally and Ms. Jennifer Spina
20 400 North Fifth Street
21 Phoenix, Arizona 85004

22 For AES Corporation:

23 OSBORN MALEDON
24 By Ms. Meghan Grabel
25 2929 North Central Avenue, 21st Floor
 Phoenix, Arizona 85012

1 ALSO PRESENT:

2 Mr. Jason Spitzkoff, Manager, Engineering T&D, APS

3 Mr. Kevin Duncan, Senior Siting Consultant, APS

4 Ms. Anna Chaulk, State Regulatory Analyst, APS

5 Mr. Devin Petry, SWCA Environmental Consultants

6 Mr. Kris Kjellman, Project Management, AES
7 Corporation

8 Mr. Manish Kumar, Managing Director, Energy Storage,
9 AES Corporation

10 Mr. Tod Brewer, Assistant to Chairman Chenal

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

2 This is the time set for the prefiling
3 conference regarding the Westwing interconnection
4 project.

5 May we have appearances, please.

6 MR. DERSTINE: Matt Derstine with Snell & Wilmer
7 representing APS.

8 CHMN. CHENAL: Ms. Grabel.

9 MS. GRABEL: Thank you, Chairman. Meghan Grabel
10 from Osborn Maledon representing potential intervenor,
11 or would be intervenor, AES.

12 MS. BENALLY: Good afternoon, Chairman. This is
13 Linda Benally representing APS.

14 CHMN. CHENAL: Very well. Okay.

15 MS. SPINA: I'm sorry, Chairman. I didn't want
16 to put you off there. But just, this is Jennifer Spina
17 also representing APS.

18 CHMN. CHENAL: Thank you very much.

19 And Mr. Manish Kumar, if I pronounced that
20 correctly, just joined the conference.

21 Mr. Kumar, are you with AES?

22 MR. KUMAR: I am.

23 CHMN. CHENAL: What is your position, please?

24 MR. KUMAR: Good evening, everyone. I am the
25 managing director of battery energy storage at AES.

1 CHMN. CHENAL: All right. Let's just discuss
2 generally --

3 (Audio interruption.)

4 CHMN. CHENAL: Okay. This meeting is being
5 recorded.

6 So let's just discuss briefly the project and
7 then hear the interest of the would be intervenor in the
8 case so we have a little background on that.

9 So, Mr. Derstine or Ms. Benally, or whoever
10 wants to speak about that first.

11 Ms. Spina, tell me again who you represent. I
12 am sorry.

13 MS. SPINA: APS, Arizona Public Service Company.

14 CHMN. CHENAL: Okay. And, I am sorry, but I
15 can't remember. Are you in-house at APS or are you at
16 Snell & Wilmer?

17 MS. SPINA: Yes, no, I am in-house at APS.

18 CHMN. CHENAL: All right. Thank you very much.

19 Mr. Derstine.

20 MR. DERSTINE: Yeah, I will just take a minute,
21 maybe set the table a little bit, kind of posture the
22 case and what the case is about. It is a gen-tie
23 project, probably a bit similar to the Papago case you
24 just finished, short line, half mile long, interconnects
25 AES's battery storage project to the Westwing

1 substation.

2 What is a bit different about this one is, if
3 you think back to the Hashknife case that you had in
4 Flagstaff, in that case APS was an intervenor and the
5 CEC was structured into two separate CECs because APS
6 had an interest in owning a portion of the gen-tie line
7 while the project developer owned its own piece. And so
8 it was the interconnection portion that APS --
9 ultimately would be transferred to APS.

10 This line is, it is going to be collocated for a
11 segment on an existing 69kV line. And so APS is
12 bringing the application forward. AES is going to play
13 the role of the intervenor, friendly intervenor, for the
14 same reasons that APS intervened in the Hashknife case.
15 They have an important interest in the project. And,
16 therefore, it is important that they be at the table and
17 I assume you will at some point deal with their
18 application to intervene.

19 So those are the parties and the players. The
20 structure of the application would be to request two
21 CECs, a short CEC for the short segment that AES will
22 own of the gen-tie line, the remainder is the portion
23 that is collocated with an existing APS 69kV line.

24 So that's where we are, and that's how it is
25 going to be coming to the Committee.

1 CHMN. CHENAL: So will there be two CECs
2 requested in the case?

3 MR. DERSTINE: Yes.

4 CHMN. CHENAL: Okay. As in Hashknife, okay.

5 MR. DERSTINE: Right.

6 CHMN. CHENAL: All right. Are there any other
7 potential intervenors other than AES?

8 MR. DERSTINE: Not that I am aware of.

9 CHMN. CHENAL: How would you gauge the public
10 interest in the case?

11 MR. DERSTINE: I will let maybe Mr. Petry or
12 Mr. Duncan speak to that. But, you know, we have had
13 that outreach. We have -- I think there has been a
14 postcard and a virtual open house requesting comment.
15 But I am not sure, I am not current on how much comments
16 or feedback we received. I will let them speak to that.

17 CHMN. CHENAL: Sure.

18 MR. DUNCAN: Good afternoon, Mr. Chairman. This
19 is Kevin Duncan.

20 So there has been minimal public comment and
21 public interest on this project at this time. We have
22 had, I believe, a total of three or four comments total,
23 one from a resident who is across the freeway from where
24 this project is who just is a person who doesn't want to
25 see a project anywhere where they live.

1 We had a landowner who is near the project site
2 who specifically just wanted to verify with us that the
3 project was not crossing their property, which it is
4 not, no comments other than that.

5 We did receive a question from an attorney. We
6 are not sure what information they are seeking
7 specifically, but they were asking about the heights of
8 the existing and the proposed structures, but no
9 specific comments from that individual.

10 And I don't believe there has been any other
11 public comments on this one. But even the engagement
12 with the virtual open house was very low.

13 CHMN. CHENAL: All right. I notice that there
14 were some exhibits that were intended to be used today.
15 Maybe this would be a good time to discuss those and,
16 you know, enter them into the record. They are maps for
17 the most part and, you know, study area and placements
18 of the signs.

19 MR. DERSTINE: Right. I think there is a
20 project area map description. I don't know, you will
21 probably start with that. Mr. Spitzkoff can speak to
22 that in terms of describing that map when you are ready
23 to have him present that.

24 I don't know how you wanted to mark these, A, A,
25 B, or 1, 2, whatever your preference.

1 CHMN. CHENAL: Let's do it 1, 2, 3. And we will
2 mark it in the order in which they are presented.

3 MR. DERSTINE: All right.

4 CHMN. CHENAL: Mr. Spitzkoff, you couldn't
5 resist, could you?

6 MR. SPITZKOFF: No, Chairman, I could not.

7 CHMN. CHENAL: Just couldn't resist. I will
8 maintain my position that Rutgers does not belong in the
9 Big 10. I think that's all I will say on the topic.
10 And this is being recorded, so it will be for all the
11 world to know and see.

12 MR. SPITZKOFF: I think it is on multiple
13 records at this point.

14 CHMN. CHENAL: Yes, it is.

15 Okay. So why don't -- I guess, if you would
16 like to, you know, discuss the project in a little more
17 detail with the maps, this would probably be a good time
18 to do it. I think I have seen a lot of this before and
19 I have a fair understanding of it, but I think let's get
20 it into the record.

21 MR. SPITZKOFF: Okay. If anyone can confirm
22 that we have Exhibit 1 open, which is showing the
23 project area, or actually a subset of the project area.

24 MS. BENALLY: It is visible, Jason.

25 MR. SPITZKOFF: Is this okay?

1 CHMN. CHENAL: And, Colette, we will mark this
2 as Exhibit 1 to the prefiling conference.

3 MR. SPITZKOFF: So, Chairman, what we have here,
4 and I am outlining the outline of our existing Westwing
5 substation, this is a rather large substation in the
6 northwest part of the Valley. It is a joint owned
7 facility amongst many, many different joint owners that
8 has 500kV lines, 230kV, 345, 69, and even 12kV
9 facilities inside.

10 This project, the Westwing interconnection
11 project, is requesting interconnection of the battery
12 storage facility into our 230kV switchyard inside
13 Westwing. And that, the interconnection, is depicted by
14 the blue and black multicolored line that turns to the
15 green and black multicolored line. And the gray area
16 with the dots signifies the AES battery project. And
17 the line terminates at a substation that they will have
18 as part of their project.

19 The yellow line that you see following that is
20 the existing 69kV APS line that will be -- this is, a
21 portion that the interconnection is going to be
22 traversing over will be rebuilt. We will build the new
23 230 line using double circuit capable structures.
24 However, only one circuit will be constructed as part of
25 this project. And the existing 69kV line will become

1 the underbuild on those structures. So we will
2 consolidate to one, one set of structures that will
3 traverse this route here.

4 A good part of the route is inside the Westwing
5 substation. So if you can see where my cursor is, you
6 can see sort of the black line here, that is the wall,
7 the perimeter of the Westwing substation. So everything
8 from that perimeter back to the 230 bus is internal to
9 the substation itself. And then everything from that
10 point out is external.

11 As you can see with all the other existing lines
12 shown on this map, the area already has multiple
13 transmission lines of 500kV, 230kV, 69kV in the area
14 that it will be joining.

15 I think that is the big details for the project.

16 CHMN. CHENAL: Let me ask, Mr. Spitzkoff. The
17 light blue line kind of starts at the top, yeah, and
18 proceeds southwest -- no, not that one.

19 MR. SPITZKOFF: This?

20 CHMN. CHENAL: Is that a gas line, a natural gas
21 line?

22 MR. SPITZKOFF: Yes, sir.

23 CHMN. CHENAL: Okay.

24 MR. SPITZKOFF: Yes, this is some gas facility
25 there with, you know, smaller gas lines coming off

1 underground.

2 CHMN. CHENAL: Underground, okay. All right,
3 very good. Okay, thank you for that.

4 I think you have a couple more exhibits.

5 MR. SPITZKOFF: Okay. Let me see. I have got a
6 lot of things open.

7 This is No. 3. Okay. So this is showing our --

8 CHMN. CHENAL: Let me stop you. You said No. 3,
9 but this is the second. So what exhibit number do we
10 need to give this?

11 MR. SPITZKOFF: Well, the way we had ordered
12 them, Exhibit 2 is the proposed notice of hearing. So I
13 don't know if we want to go through that one. Because
14 then Exhibit 3 was talking about the notice area.

15 CHMN. CHENAL: Okay.

16 MR. SPITZKOFF: So --

17 CHMN. CHENAL: We will make that 3 then. We
18 will come back to 2, which will be the notice of
19 hearing.

20 That's just for Colette and for -- so people
21 reading can understand. So Exhibit 3 then is the blue
22 notification area.

23 MR. SPITZKOFF: Yes, sir.

24 So within, within here the black dotted line is
25 the study area. So this was the overall study area.

1 And if Devin or Kevin can correct me, I think that's a
2 one mile buffer; although, it doesn't seem like a
3 perfect circle.

4 The blue area within there, and then you will
5 see some blue areas exceeding that study area, that is,
6 those are the areas that we noticed. So of course
7 everything inside the study area. But also, in the
8 practice that we have of not bifurcating a neighborhood,
9 there are some areas that go outside, outside of the,
10 you know, the proposed study area here. You can see on
11 the south, a little bit move over there, and then
12 capturing some residences up in this north, northeast
13 corner here.

14 Any questions on the notice area?

15 CHMN. CHENAL: No. That looks like, according
16 to the scale, that's -- was that a mile and a half by a
17 mile and a half or mile and a half in diameter, or maybe
18 more, roughly?

19 MR. PETRY: If I may, this is Devin Petry with
20 SWCA. The study area boundary there is a one-mile
21 buffer off of the gen-tie facilities, off the intertie
22 facilities there. So it is a total of a two mile width
23 of the study area notification.

24 CHMN. CHENAL: Okay. All right. No questions
25 on that one.

1 MR. SPITZKOFF: Okay. And if we can label this
2 as Exhibit 4, it will be the sign, public notice of
3 hearing sign locations. And you can see we have four
4 proposed locations, the first location up by Happy
5 Valley, which would also be the northwest corner of the
6 AES proposed location.

7 We have a second sign location that is at the
8 point where the APS and AES ownerships would split,
9 where the CEC 1 and CEC 2 would split. And there is a,
10 there is a trail that's off here. So there is a
11 possible public viewing from this, from this area.

12 Then we have a sign location just on the north
13 side of the Westwing substation. Again, there is a dirt
14 road and I think a trail also over here.

15 And then if someone was coming from the other
16 direction, we have sign location number 4 off of that
17 same location here.

18 CHMN. CHENAL: And how large are the signs going
19 to be?

20 MR. SPITZKOFF: That would be Kevin or Devin on
21 that.

22 MR. PETRY: Mr. Chairman, we have yet to
23 commission those signs but would be commissioning those
24 at the typical standard path size, approximately
25 probably three by four, three feet by four feet.

1 CHMN. CHENAL: All right. Okay. Those look
2 reasonable. There is only one, looks like, road that
3 goes through the area. And you put the sign there. The
4 rest are trails with -- it is hard to judge how many
5 people, you know, the public goes on those trails. So
6 it seems like a reasonable, you know, placement of
7 signage.

8 MR. SPITZKOFF: Thank you, Chairman. I think we
9 agree with that.

10 And then the only other exhibit that I am aware
11 of would be Exhibit 2, which is the proposed notice of
12 hearing.

13 CHMN. CHENAL: And we can get into that. I did
14 review it. It looks like the standard one. But it has
15 the blanks in it, such as location of hearing. I mean
16 the dates seem to be the dates that we had previously
17 talked about. We will talk about a date for the
18 public -- for the prefiling conference. Let's get to
19 that.

20 And then I would like to just ask what, what
21 social media efforts will be used to provide notice of
22 the project and of the hearing, and the area that will
23 be noticed through this social media.

24 MR. DUNCAN: Mr. Chairman, this is Kevin Duncan
25 again. I will speak to that.

1 So we are going to use social media very similar
2 to what has been used on our previous projects that have
3 been discussed with you. In this specific case we will
4 use Facebook and Instagram within our notification area,
5 which is shown on the screen right now in blue. That
6 will include the entirety of the study area and areas
7 shown in blue outside the study area. So those areas
8 will be targeted specifically with the Facebook and
9 Instagram ads.

10 MR. SPITZKOFF: And, Kevin, if I can ask or
11 confirm, we also used targeted emails that are based off
12 of customer, customers that might be off of circuits in
13 this area that have emails in our system.

14 MR. DUNCAN: That is correct. We do use
15 customer emails. But it is based on the availability
16 that the customer has to provide their email first of
17 all, but we do use any feeders that fall within our
18 notification area, and if a customer is served by one of
19 those feeders, they will receive an email.

20 Oftentimes it is much less precise than the,
21 than the social media ads, so we tend to get a larger
22 area. But from APS's standpoint, it is not a problem to
23 have more rather than less.

24 CHMN. CHENAL: What about the mailers? Are
25 mailers going to be used, or in the study area in blue,

1 notification I should say?

2 MR. DUNCAN: I was talking, Mr. Chairman. Yes,
3 that is correct. We will be using a second newsletter
4 that will be delivered to addresses within the blue
5 notification area. That includes the entirety of the
6 study area and a few select areas outside the study area
7 shown in blue.

8 CHMN. CHENAL: Okay. Thanks very much. Good.
9 Perfect. Good.

10 And then what publication will be used? I
11 assume the Arizona Republic. But what other newspapers,
12 if any, will be used?

13 MR. DUNCAN: Yes, Mr. Chairman. Again, this is
14 Kevin Duncan, and I will speak to that. Just a moment.
15 I am opening my notes. I apologize.

16 If I may proceed, so we are going to be
17 publishing our notification in the Arizona Republic.
18 Our proposed dates to publish will be Wednesday,
19 July 21st, Wednesday, July 21st, and Saturday,
20 July 24th.

21 We will also be delivering to the Sun City
22 Independent and the Sun City West Independent. Those
23 will publish on July 21st.

24 And we will also be publishing to the Peoria
25 Independent. Now, that paper only publishes on the

1 second and fourth Wednesday. So it will publish on
2 July 28th.

3 CHMN. CHENAL: Very good. That sounds very
4 reasonable.

5 What about the affected jurisdictions? What are
6 the affected jurisdictions that will be notified of this
7 in the notice of affected jurisdictions?

8 MR. PETRY: Mr. Chairman, this is again Devin
9 Petry with SWCA.

10 We have identified three affected jurisdictions
11 that we would notify. Those include Maricopa County, as
12 the project is within unincorporated Maricopa County.
13 We have also included or identified the City of Peoria,
14 as a portion, the northern portion of the project study
15 area falls within the City of Peoria's jurisdictional
16 boundaries. And lastly we have included and identified
17 Arizona State Land Department, as some of the vacant
18 land both on the east and west of the Westwing
19 substation is under the ownership of Arizona State Land.
20 So those are the three affected jurisdictions we have
21 identified.

22 CHMN. CHENAL: All right. Thanks. Very good.

23 Ms. Grabel, before we get to the evidentiary
24 hearing, is there anything you would like to, you know,
25 discuss or to advise in terms of the project, your

1 client's position on any of this?

2 MS. GRABEL: Thank you, Mr. Chairman. No, I
3 don't think we can add anything. I think that the APS
4 team has done a nice job of presenting the project and
5 our portion of the project. If you have any specific
6 questions for us regarding the project from our
7 perspective, we are happy to address them, but I have
8 nothing to add at this time.

9 CHMN. CHENAL: Perfect. What is the storage
10 capacity for the project? I know the Committee will get
11 into that. I was just curious right now.

12 MS. GRABEL: Sure.

13 Mr. Kumar, would you like to address that?

14 MR. KUMAR: Mr. Chairman, the storage capacity
15 is 100 megawatts, four-hour duration. So it is
16 400 megawatt hours.

17 CHMN. CHENAL: Thank you.

18 I am sure there are going to be some questions
19 about that. The Committee will be interested in it.
20 But, you know, that's, that's all the questions I have
21 at the moment on that.

22 Let's talk about the hearing. The Notice of
23 Hearing was blank as to the location. And I was kind of
24 curious, given it is July 1st and the hearing is
25 starting, what, July 26, do we have a location yet?

1 MR. DERSTINE: Well, Mr. Chairman, I think our
2 hearing is August the 23rd.

3 CHMN. CHENAL: I am sorry. August, August. I
4 am sorry, I am sorry, I am sorry, I am sorry.

5 MR. DERSTINE: But we did have it, and you may
6 recall, that our next case, which will come up at the
7 end of July, and this case were both to be held at the
8 Briarwood Country Club that's out in, I think it is
9 still Sun City, out west there.

10 But having looked at -- so the upcoming Biscuit
11 Flats case will take place at Briarwood. But having
12 spent a bit of time there with the Jason from Peak
13 Audio, we thought there is some challenges with that
14 space. There is some large poles and that sort of
15 thing. But we are definitely going to make it work and
16 it will be a good venue. But we thought we would look
17 for alternative venues for this case and see if we have
18 something better. So that's the reason we have this
19 blank at this time.

20 CHMN. CHENAL: Okay. And that's fine. I meant
21 to say August. I didn't mean to say the hearing was
22 going to be later this month.

23 But I mean I think you have some flexibility. I
24 mean the way the statute reads, I mean it has to be
25 basically the general area of the project. And, you

1 know, I mean there is not a lot of residences, it
2 doesn't seem like it, right at this point. So I mean I
3 think you have some discretion here. You don't have
4 to have it within five miles -- or I don't know how
5 close this project is to the Briarwood, but I mean if
6 you have to, you know, look a little further to find
7 what you believe is appropriate, I don't think anyone
8 would have a problem.

9 MR. DERSTINE: Appreciate that.

10 CHMN. CHENAL: And how long do you think the
11 hearing is going to take?

12 MR. DERSTINE: Well, I guess that's a different
13 question in terms of how long we are going to notice it
14 for. We will notice it for the week. I think we
15 anticipate it will be maybe a two and a half day case.
16 But in case, you know, we have some last minute
17 intervenors or there is issues or for whatever reason we
18 run long, we will notice it out for the week's time and
19 see how far we get.

20 CHMN. CHENAL: Good. Because we will start in
21 the afternoon of that Monday. There will not be a tour,
22 so that will save some time. And I think from what you
23 just said, Mr. Derstine, you would be anticipating then
24 deliberations Wednesday morning, something like that, if
25 things went at an expected speed, probably if there is

1 not additional intervenors or opposition to the project.
2 So I think that's what I am hearing.

3 MR. DERSTINE: Yep, that's my best guess at this
4 time. But, you know, we may get a lot of very difficult
5 cross from Ms. Grabel. And so we will just have to see
6 how that goes.

7 MS. GRABEL: You can count on it, Mr. Derstine.

8 CHMN. CHENAL: Yeah, there's a lot --

9 MS. GRABEL: For Mr. Spitzkoff.

10 CHMN. CHENAL: Well, I may have some questions
11 for Mr. Spitzkoff on this one.

12 Okay. I think we do notice it out as we
13 normally, as I normally suggest just in case, but --
14 and, you know, I am just warning you, we have a busy
15 schedule. So if we don't notice it and we ran out of
16 time for any reason, I'm telling you it would be hard to
17 squeeze it in. So, well, let's just notice it out and
18 have the time available. And that sounds like it
19 probably would be very reasonable since it is a shorter
20 project.

21 Lodging for Committee members will be where? Do
22 we have a hotel?

23 MR. DERSTINE: We do. I will let Mr. Duncan or
24 Petry identify the hotel. It is within a couple miles
25 of the -- well, we don't. We don't have a venue yet.

1 But I think our plan is to find a venue that has -- that
2 will take place at a hotel. And so rather than
3 having -- I am thinking, I am thinking back to the
4 July hearing.

5 So we are looking for a venue that will
6 accommodate, that will be a hotel that has a sufficient,
7 large enough and accommodating hearing room. And then
8 it will take place at a hotel where those members of the
9 Committee who are traveling or would prefer to stay can
10 stay. So that's our charge in terms of what we are
11 looking for as a hearing venue.

12 CHMN. CHENAL: Okay. And this will be another
13 situation where the applicant will cover the cost
14 directly of the lodging, is that correct?

15 MR. DERSTINE: Yes.

16 CHMN. CHENAL: Okay. Good.

17 All right. No tour. I think we are getting
18 closer to the point where we will have tours. But I
19 don't think we need one on this one given that we are
20 still in that area of getting past COVID problems.

21 And because of that, let's talk about the hybrid
22 nature of the hearing. It will be live and it will be
23 what? I assume Zoom or some other platform. So can you
24 just talk about that for a moment.

25 MR. DERSTINE: Right.

1 CHMN. CHENAL: What is the plan?

2 MR. DERSTINE: Yeah, it will be hybrid. I
3 mentioned we are going to use the same Peak Audio, the
4 folks who handled your last hearing, handled the hearing
5 in Kingman. So I think we will be in good hands in
6 terms of having the right equipment, the strong --
7 ensuring that we have strong wi-fi, you know,
8 understanding the setup that the Committee members
9 prefer.

10 I note that Peak handled the last Papago
11 hearing. So Jason clued us in some of the, the fact
12 that -- well, certain things about, you know, the set-up
13 that you used there. I understand now you prefer to
14 have content on the floor monitors as well as being able
15 to see the remote Committee members. So he is clued in
16 to, I think, the evolving nature of the hybrid hearing
17 and what the Committee's preferences are. So I think we
18 will be in good hands.

19 CHMN. CHENAL: Good, good. One of the Committee
20 members made a comment to me -- I guess this is more for
21 the attorneys -- that they would like to see the
22 Committee members appear in person at the hearings and
23 not appear by Zoom and is it necessary to continue to
24 have the Zoom, you know, portion of the hybrid nature of
25 the hearings.

1 I just, I mean my own view on that is I like
2 this Zoom, the Zoom capabilities, because it makes it
3 easier for the public, if nobody else, to participate in
4 these. And I think the participation level is higher
5 when we have Zoom than when we don't. Maybe some of
6 these smaller projects it is not as important, but I
7 think in the larger projects it will be.

8 So I guess, I guess, as we get out of the COVID,
9 the pandemic problems and people start getting back and
10 having live meetings, more and more as we do it, you
11 know, the Zoom function may be something that stays with
12 these hearings. I am not exactly sure, but it is
13 certainly something I am thinking about. And I guess I
14 would like to get your thoughts on it, on that, on even,
15 when we go back to having live meetings where people
16 show up, what the applicants think about, about the
17 Zoom, still having the capability for people to appear
18 remotely.

19 MR. DERSTINE: Well, I will speak for myself,
20 not necessarily for APS. And I will let Mr. Spitzkoff
21 or Ms. Spina or Ms. Benally speak for APS.

22 But, yeah, I agree with you. My sense is that,
23 thinking back to the hybrid hearings that I have
24 participated in over the past, well, now it is going on
25 two years, year and a half, I think you are right. I

1 think you do get more public comment. It makes it
2 easier for folks to appear. Certainly in Kingman we had
3 a number of folks who appeared by their iPhone out in
4 their backyard and provided comment. I think it, you
5 know, it gave the Committee more public comment, more
6 information on the public's view. So I think that
7 works.

8 It, certainly it is another level of, you know,
9 ensuring that we have the right vendor, the right AV
10 vendor to provide a good, integrated experience for the
11 folks who are there in person and then the folks who are
12 appearing remotely.

13 But I think the other piece of that is there may
14 be some times when members of the Committee cannot
15 attend in person but they may be able to appear
16 virtually. And so I think it gives us that, the ability
17 to include more members of the Committee. And I think
18 that's a good thing as well, from my perspective.

19 MS. BENALLY: Mr. Chairman, this is Linda
20 Benally.

21 APS hasn't had the opportunity to explore that
22 in some detail. Mr. Spitzkoff might have some general
23 comments and respond, but we would be happy to explore
24 it further.

25 I will say that there are other elements of the

1 siting process that we have taken virtual, such as the
2 virtual open house. And I know that the company is very
3 interested in keeping that hybrid version to ensure that
4 the public has an opportunity to provide comment
5 throughout the, you know, duration of the particular
6 comment period when the virtual open house is open, in
7 addition to the opportunity to comment after that period
8 closes. So we are certainly very interested in keeping
9 some elements, and we just haven't had a chance to
10 discuss the evidentiary hearing hybrid aspect of it.

11 CHMN. CHENAL: Good. Thank you. Thank you for
12 those comments.

13 Any other thoughts, Ms. Grabel or Mr. Spitzkoff
14 and Ms. Spina?

15 MS. GRABEL: Speaking for myself, Mr. Chairman,
16 I know I have some clients, including AES, who are
17 located out of town. And I think it might be an expense
18 savings not to have to travel. They can, you know, put
19 witness testimony on through Zoom.

20 I know some of them, at least in the near term,
21 their business restrictions have not yet lifted and some
22 are unable to travel for business purposes. And so I
23 think this is a necessity for at least the near term.

24 I do agree that it, you know, it entices, I
25 don't know if that's the right word, but greater public

1 participation. So at a minimum, it might be nice to
2 keep it for the public comment session even if the
3 hearings go back to in person. And there is some
4 benefit to doing that, too. I think face to face is
5 always preferable, if possible, to the online, remote
6 participation.

7 I also am just -- I really like the A Team for
8 the AV. And I don't think they yet have the Zoom
9 capability. And that's something I would like them to
10 explore if the Committee chooses to require a Zoom
11 component.

12 CHMN. CHENAL: Good. Thank you for those
13 comments.

14 Any more?

15 MR. SPITZKOFF: Mr. Chairman, I would just
16 reiterate what Ms. Benally stated earlier in regards to
17 some of the other virtual opportunities, particularly
18 our virtual open house.

19 Even after we are capable of having in-person
20 open houses, you know, with the success, the
21 opportunities that virtual open house provides, that is
22 something that we are going to keep as a tool moving
23 forward and continue to do.

24 CHMN. CHENAL: Good. Very good.

25 Ms. Spina, any other thoughts?

1 MS. SPINA: No, nothing to add. Thank you,
2 Mr. Chairman.

3 CHMN. CHENAL: All right. Good. All right.
4 Thank you for those comments. It is a brave new world.

5 And I, for the tours, I like the fact that we
6 have had these nice flyovers on these cases, but to me
7 there is no substitute for boots on the ground. And I
8 still like the -- I think there is something that really
9 is beneficial in actually visiting where the routes, the
10 plan, the alternatives for the, you know, for the lines
11 are, the facilities. So I would like to get back to
12 that as soon as possible.

13 But I appreciate the comments on the Zoom
14 capabilities, because I think there is benefits to it,
15 including for the applicant. When you have certain
16 witnesses, it might well be an expense savings. I think
17 those of us who have done trial work know there is
18 probably no substitute for a live witness. But, you
19 know, it is the next best thing. And it might -- maybe
20 that's the only option available. So otherwise a person
21 might not be able to be the witness. So I think it
22 keeps open some flexibility there.

23 All right, real quickly, just a few more things.
24 What is the, what is the date, the filing date proposed?

25 MR. DERSTINE: I think the proposed filing date

1 is July 13th this time. We had a two-week negotiation
2 with Tod over that filing date, but that's where we
3 landed.

4 CHMN. CHENAL: Okay. I think he told me. But,
5 I am sorry, we have one -- we had one in June, one in
6 July, I think two in August, one in September. And I
7 think I mentioned two, three, or four in holding
8 patterns waiting to land in October and November, so,
9 sorry, a lot to keep straight.

10 MR. DERSTINE: Yep.

11 CHMN. CHENAL: Let's see. So we will have good
12 wi-fi. We will have either iPads or tablets or
13 something for the Committee members with the exhibits
14 loaded.

15 I will issue a procedural order. It will be
16 very similar to the ones I have been issuing lately. It
17 will probably have something in there about the social
18 media. It may be the same as the last order. And I
19 think we discussed that and everything was certainly to
20 my satisfaction.

21 We will have the public comment session the
22 evening of the first hearing, start at 5:30. Especially
23 since people appear by Zoom, I don't think we have to
24 push those, have those at 6:00 to allow people to drive
25 to the facility. They can appear by Zoom or phone, and

1 we can hear them that way.

2 Let's see. What is the permit status? Any --
3 just generally, where are we with the permits, the other
4 required permits for the project, if any?

5 MR. DERSTINE: There is a federal permit
6 component to this. I will let Mr. Spitzkoff give a
7 little bit from APS's perspective. And then I think AES
8 can also fill in on kind of where they are in terms of
9 that federal permitting component.

10 MR. SPITZKOFF: Yeah, thank you.

11 Mr. Chairman, the interconnection being into the
12 Westwing substation, one of the owners of that 230
13 portion is the United States Bureau of Reclamation. So
14 as a federal entity having to sign an agreement, that
15 itself would trigger NEPA requirements.

16 However, AES does also have another, already had
17 another NEPA component that they were undertaking
18 already. So the USBR has been coordinating with that
19 effort. And APS has provided all the information that's
20 been requested. And, you know, that process, I think,
21 is, is maybe getting closer to the end. But I will let
22 AES provide an update on that.

23 CHMN. CHENAL: Sure. Thank you.

24 Ms. Gabel.

25 MS. GRABEL: Actually, I'm going to have

1 Mr. Kumar or Mr. --

2 Kris, I don't know how to pronounce your last
3 name. I am sorry.

4 MR. KUMAR: Thank you. Let me bring my
5 colleague, Mr. Kris Kjellman, here to provide some
6 updates on the NEPA.

7 Kris.

8 MR. KJELLMAN: Sure. Right now we are going
9 through the public comment period. We have done
10 internal reviews. Our environmental consultant has
11 worked closely with WAPA, who is also working with us on
12 the NEPA component and the USBR. And so we are going
13 through, we have gone through the internal review, and
14 it is out to public comment right now. And July 23rd
15 that should be, public comment period, be completed.
16 And then August 20th is our target final EA date.

17 CHMN. CHENAL: All right. Good. So that's all
18 coming together.

19 I don't think I have anything further. I think
20 we covered the items on the checklist. Is there
21 anything else, any other items we should discuss?

22 MS. BENALLY: Mr. Chairman, this is Linda
23 Benally.

24 CHMN. CHENAL: Sure.

25 MS. BENALLY: The only other item I have on my

1 list is the prehearing procedural conference.

2 CHMN. CHENAL: I am sorry, I am sorry, I am
3 sorry. How does August 17th at 2:00 look?

4 MS. GRABEL: Mr. Chairman, that's a Commission
5 open meeting date. Right now it is open, but because of
6 the kind of cattle call arrangement, I don't know if I'd
7 have an item on the agenda. But I am sure we could get
8 that covered. I don't want to hold you up if that's the
9 only obstacle.

10 CHMN. CHENAL: Well, let me pull up my calendar
11 here.

12 What about Wednesday, August 18th, at 11:30?
13 Does that work, or is it still open meeting?

14 MS. GRABEL: It is still technically open
15 meeting.

16 CHMN. CHENAL: All right.

17 MS. GRABEL: But if that's the only barrier and
18 not one for anybody else, we can work our -- we can find
19 a way.

20 CHMN. CHENAL: I have a crazy week that week and
21 I would like to do it that week. The week before I am
22 unfortunately out of town. So I get back Sunday. And I
23 would really like to keep Monday morning open just in
24 case, you know, we are not back until then. So Tuesday
25 afternoon is really the best time for me.

1 This is a -- I mean we have met on this a few
2 times. I just don't expect there is going to be much --
3 like today, I mean we kind of knew the answers to most
4 of the questions. And I know we reviewed this once, if
5 not twice. So if we can do it Tuesday afternoon at
6 2:00, that would be, that would help me out. But I want
7 to make sure everybody else is available to do it then.

8 MR. DERSTINE: It works for me.

9 MS. BENALLY: It works for me as well.

10 Mr. Spitzkoff.

11 MR. SPITZKOFF: Yes, that works for me.

12 MS. BENALLY: Ms. Spina.

13 MS. SPINA: Yes, the 17th is fine. Thank you.

14 CHMN. CHENAL: At 2:00.

15 Is there -- can you get coverage, Ms. Grabel?

16 MS. GRABEL: Absolutely. If I do have an issue,
17 and I don't know if I do, then I will, we will find a
18 way to get AES represented.

19 Mr. Kumar and Mr. Kjellman, are you free on that
20 date?

21 MR. KUMAR: Yes, that works for us.

22 CHMN. CHENAL: All right. Good. I really don't
23 think there is going to be any, any surprises or any
24 issues at the prehearing conference, you know, so let's
25 set it for then. We will set it for then. I will put

1 that in the procedural order. So it would be
2 August 17th at 2:00 p.m.

3 And thank you, Ms. Benally, for reminding me of
4 that. I even had it written down here on my sheet. And
5 I was very proud of myself that I picked the date out
6 ahead of time, so proud of it I put it out of my mind.
7 I didn't think we needed to cover it, but yes, we did.

8 Anything else we need to talk about? If not --

9 Mr. Derstine, you look like you might have been
10 ready to say something.

11 MR. DERSTINE: Just that, you know, we will, as
12 soon as we land on the hearing venue, we will get you a
13 revised updated notice of hearing for you to look at and
14 finalize. And I think that's the only other
15 deliverable.

16 CHMN. CHENAL: Okay. Perfect. And as in past
17 cases, we will work for a real quick turnaround on the
18 notice of hearing. So just work with Tod on that.

19 And he is tough on me, too, Mr. Derstine. If
20 you think he is a tough negotiator, he is pretty tough
21 with me.

22 MR. DERSTINE: Well, good. I thought it is just
23 me. But, all right, I appreciate that.

24 CHMN. CHENAL: No, he makes me turn this stuff
25 around. That's good.

1 So, all right. Well, let's see everyone on the
2 17th. And if something comes up that we need to talk,
3 just let us know, and we will make sure to make time for
4 you.

5 MR. DERSTINE: Thank you.

6 CHMN. CHENAL: Have a good afternoon, everyone.
7 Thank you.

8 (The proceeding concluded at 4:21 p.m.)

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)

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

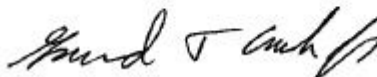
9 I CERTIFY that I am in no way related to any of
10 the parties hereto nor am I in any way interested in the
11 outcome hereof.

12 I CERTIFY that I have complied with the
13 ethical obligations set forth in ACJA 7-206(F)(3) and
14 ACJA 7-206 (J)(1)(g)(1) and (2). Dated at Phoenix,
15 Arizona, this 5th day of July, 2021.

16 

17 _____
18 COLETTE E. ROSS
19 Certified Reporter
20 Certificate No. 50658

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

24 

25 _____
COASH & COASH, INC.
Registered Reporting Firm
Arizona RRF No. R1036