

1 BEFORE THE ARIZONA POWER PLANT LS-282

2 AND TRANSMISSION LINE SITING COMMITTEE

3 IN THE MATTER OF THE APPLICATION ) DOCKET NO.  
 4 OF ARIZONA PUBLIC SERVICE ) L-00000D-23-0011-  
 5 COMPANY, IN CONFORMANCE WITH THE ) 00214  
 6 REQUIREMENTS OF ARIZONA REVISED )  
 7 STATUTES 40-360, ET SEQ., FOR A ) LS CASE NO. 214  
 8 CERTIFICATE OF ENVIRONMENTAL )  
 9 COMPATIBILITY AUTHORIZING )  
 10 CONSTRUCTION OF AN APPROXIMATELY )  
 11 0.6 MILE 500 KILOVOLT (KV) )  
 12 INTERCONNECTION TRANSMISSION )  
 13 LINE AND AMENDING CEC 135 TO )  
 14 AUTHORIZE USE OF A NEW )  
 15 TRANSMISSION STRUCTURE TYPE THAT )  
 16 WILL CONNECT THE PROVING GROUND )  
 17 SOLAR+STORAGE PROJECT TO THE )  
 18 HOODOO WASH SWITCHYARD LOCATED )  
 19 NEAR DATELAND, ARIZONA WITHIN )  
 20 UNINCORPORATED YUMA COUNTY, )  
 21 ARIZONA. ) EVIDENTIARY  
 22 ) HEARING

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23  
 24  
 25 At: Yuma, Arizona  
 Date: February 14, 2023  
 Filed: February 17, 2023

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME II  
 (Pages 143 through 173)

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1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before the  
3 Arizona Power Plant and Transmission Line Siting  
4 Committee at the Four Points by Sheraton Hotel, 2030  
5 South Avenue 3E, Yuma, Arizona, commencing at 10:00 a.m.  
6 on the 14th day of February, 2023.

7

8 BEFORE: PAUL A. KATZ, Chairman

9 GABBY SAUCEDO MERCER, Arizona Corporation Commission  
10 LEONARD DRAGO, Department of Environmental Quality  
11 DAVID FRENCH, Arizona Department of Water Resources  
12 (via videoconference)  
13 JIM PALMER, Agriculture Interests  
14 MARY HAMWAY, Incorporated Cities and Towns  
15 RICK GRINNELL, Counties  
16 (via videoconference)  
17 MARGARET "TOBY" LITTLE, PE, General Public  
18 (via videoconference)

19

20

21 APPEARANCES:

22

23 For the Applicant:

24

25 SNELL & WILMER  
By: Matt Derstine  
One East Washington Street #2700  
Phoenix, Arizona 84004

26

- and \_

27

PINNACLE WEST CAPITAL CORPORATION  
By: Linda J. Benally, Senior Attorney  
400 North 5th Street, MS 8695  
Phoenix, Arizona 85004  
(via videoconference)

28

29

1 CHAIRMAN KATZ: Good morning, everyone. This  
2 is the next session we are having with respect to CEC  
3 214. And the record can reflect that all of the  
4 committee members who were here yesterday in person are  
5 here again today, and we have the same group of folks  
6 that are appearing virtually as of yesterday.

7 And we'll begin. Are there any preliminary  
8 matters that we need to take care of, Mr. Derstine,  
9 before we start reviewing the CEC?

10 MR. DERSTINE: No, I don't think so.

11 CHAIRMAN KATZ: And we will project on the left  
12 screen -- and anybody appearing virtually should be able  
13 to see that screen -- Chair Exhibit No. 2, which will be  
14 the Word version that we'll be working from. We have  
15 posted on the right screen the PDF version, but we  
16 really don't need to pay any attention to it. It's just  
17 going to be part of our record so the public and the  
18 Corporation Commission knows what we began with and what  
19 changes we made during the course of the deliberations.

20 And counsel are present. Mr. Derstine is here  
21 in person. Ms. Benally is appearing virtually. So I  
22 think we are ready to begin the process.

23 So can the folks who are appearing virtually  
24 see the screen that has the draft of the Certificate of  
25 Environmental Compatibility?

1 MEMBER LITTLE: We can.

2 CHAIRMAN KATZ: Okay. We can then begin by  
3 taking a look at the introduction, which appears on  
4 Page 1 and runs -- we'll go at least through Line 12 on  
5 Page 2 that states who is present.

6 And Jack Haenichen is getting better but he's  
7 still not able to attend in person, but he is going to  
8 re-up and probably start attending virtually.

9 But we list Karl Gentles on Page 2, and he  
10 hasn't participated at all in this hearing, so we need  
11 to strike through him as well.

12 But take a look -- if we need to go back up we  
13 can, but just take a look at the introduction,  
14 Paragraph A through Page 2, Line 15.

15 And if anybody -- if we're going too fast and  
16 we need to go backwards, please speak up and let me  
17 know. But once we are done reviewing the introduction  
18 through Page 2, Line 12, I'll entertain a motion to  
19 approve.

20 MR. DERSTINE: Mr. Chairman, I was just going  
21 to mention on -- raise the question on Line 14 or 15, do  
22 we want to add the limited appearance by Agua Caliente  
23 through their counsel?

24 CHAIRMAN KATZ: I think we probably ought to  
25 indicate that he did appear here. So we could add that

1 at Lines 14 and 15. So we actually could go to that  
2 point.

3 But 16 through 22 reflects our final vote, and  
4 we'll reserve that for a roll call vote at the end of  
5 these proceedings.

6 MR. DERSTINE: We're just going to make sure we  
7 get the name of their project correctly here.

8 CHAIRMAN KATZ: Right. With a double L?  
9 One L. Okay.

10 You probably want to say "made a limited  
11 appearance and was represented by..." Was it Charles?

12 MR. DERSTINE: We have counsel there, but  
13 that's probably a good additive. Agua Caliente Solar,  
14 LLC.

15 Well, are you okay with that as is?

16 CHAIRMAN KATZ: I think that's fine.

17 There also is a spelling error. Member Mercer  
18 has only one "L" in her name rather than the parallel  
19 L's that appear there.

20 Whenever you're ready, we can get a motion to  
21 approve the introduction with the changes we've  
22 discussed or edits we've discussed through 15 on Page 2.

23 MEMBER LITTLE: I so move.

24 CHAIRMAN KATZ: Is there a second?

25 MEMBER HAMWAY: Second.



1 CHAIRMAN KATZ: Any discussion?

2 (No response.)

3 CHAIRMAN KATZ: All in favor?

4 (A chorus of ayes.)

5 CHAIRMAN KATZ: Anybody opposed?

6 (No response.)

7 CHAIRMAN KATZ: Hearing no opposition, we will  
8 move on to the project overview. There are two  
9 paragraphs on what starts out, at least, on Page 3,  
10 describing the project by way of an overview.

11 And at Line 16 and 17, at least in the  
12 original, the language is added that "the  
13 interconnection project will utilize a 200-foot wide  
14 right-of-way and a map and corridor description are  
15 attached as Exhibit A."

16 So even though it's a wider corridor that's on  
17 the map, the actual right-of-way will be 200 feet --  
18 will not exceed 200 feet in width.

19 MEMBER HAMWAY: Mr. Chairman, do you think we  
20 should say "double-circuit 69kV lead lines"?

21 MEMBER LITTLE: Yes.

22 CHAIRMAN KATZ: Yes. Thank you.

23 MEMBER FRENCH: Mr. Chairman.

24 CHAIRMAN KATZ: Yes, sir.

25 MEMBER FRENCH: On Line 7, it talks about

1 associated step-up substations. I only remember  
2 description of one step-up substation. Is there a  
3 possibility of multiple?

4 MR. DERSTINE: Mr. Chairman, Member French,  
5 there is a step-up -- the initial step-up substation  
6 which is on the solar side, and we can pull up the map  
7 if that's helpful, that brings the voltage from 34.5 to  
8 69kV. And then at the end of the double circuit 69kV  
9 lead lines, there is the step-up substation that runs  
10 from 69kV to 500kV that interconnects -- that is the  
11 starting point for the interconnection project.

12 MEMBER FRENCH: Okay. I understand. Thank  
13 you.

14 CHAIRMAN KATZ: Take your time and review the  
15 two paragraphs, then. Let us know if there's any  
16 additional changes. If not, I'll entertain a motion for  
17 approval.

18 MS. BENALLY: Mr. Chairman, this is Linda  
19 Benally. Are you also deliberating on Line 16?

20 CHAIRMAN KATZ: Line 16 that's now in the  
21 project overview "The interconnection project will  
22 utilize a 200-foot wide right-of-way."

23 MS. BENALLY: Yes. May I suggest that we  
24 capitalize "I" on interconnection and "P" for project to  
25 be consistent?

1 CHAIRMAN KATZ: Sure.

2 MS. BENALLY: Thank you.

3 MEMBER HAMWAY: Are we looking for a motion?

4 CHAIRMAN KATZ: Yes.

5 MEMBER HAMWAY: I move Lines 5 through --  
6 or wherever we're starting -- 2 through 13.

7 CHAIRMAN KATZ: In other words, we're talking  
8 about the two paragraphs.

9 MEMBER HAMWAY: Okay. Yeah. Through 17. So  
10 Line 2 through 17 with the addition of the double  
11 circuit, I move that we -- I move this condition.

12 MEMBER PALMER: Second.

13 CHAIRMAN KATZ: All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN KATZ: Any opposition?

16 (No response.)

17 CHAIRMAN KATZ: We now address the CEC  
18 amendment to CEC 135, which will ultimately allow a  
19 second circuit to be placed on the existing or  
20 to-be-replaced poles.

21 And that begins on Line 18, I think on Page 3,  
22 although our line numbers may have changed somewhat, but  
23 it's that Section C that starts on Page 3 and concludes  
24 on Page 4.

25 MEMBER PALMER: Mr. Chairman, I would move the

1 CEC amendment.

2 MEMBER HAMWAY: Second.

3 CHAIRMAN KATZ: Any discussion?

4 (No response.)

5 CHAIRMAN KATZ: All in favor?

6 (A chorus of ayes.)

7 CHAIRMAN KATZ: Anybody opposed?

8 (No response.)

9 CHAIRMAN KATZ: It passes.

10 Now we're going through the individual  
11 conditions one at a time, and I don't think I need to  
12 explain what they are. We will be striking out any of  
13 the references to any prior CECs, but that was just  
14 there for edification as to where the language for these  
15 conditions may have been previously used.

16 MEMBER PALMER: I move Condition 1.

17 MEMBER HAMWAY: Second.

18 CHAIRMAN KATZ: Discussion?

19 (No response.)

20 CHAIRMAN KATZ: All in favor?

21 (A chorus of ayes.)

22 CHAIRMAN KATZ: Anybody opposed?

23 (No response.)

24 CHAIRMAN KATZ: It passes.

25 Condition No. 2.

1 MEMBER GRINNELL: Move Condition 2.

2 CHAIRMAN KATZ: Hold on.

3 Go ahead, Member Hamway.

4 MEMBER HAMWAY: The testimony said a two-mile  
5 radius and you're saying a one-mile radius that you  
6 would notify all -- I mean, I know it was 22 people, so  
7 it's not like it's a huge deal, but I just thought we  
8 should be consistent with the evidence.

9 CHAIRMAN KATZ: So that should be, in  
10 parentheses, a two-mile or rather --

11 MEMBER HAMWAY: Wasn't it two miles?

12 CHAIRMAN KATZ: It was two-mile, was it not?

13 MR. HAZLE: That's correct. It was a two-mile  
14 notification radius.

15 MEMBER HAMWAY: I mean, it's just a suggestion.

16 MR. DERSTINE: No. I think we're fine with  
17 that.

18 CHAIRMAN KATZ: So with changing where it  
19 begins "all landowners," basically, there was notice to  
20 all landowners and residents within a two-mile radius of  
21 the centerline of the interconnection project rather  
22 than within one mile.

23 I think we had a motion by Mr. Grinnell to  
24 approve. Is there a second?

25 MEMBER DRAGO: Second.

1 CHAIRMAN KATZ: All in favor?

2 (A chorus of ayes.)

3 CHAIRMAN KATZ: Anybody opposed?

4 (No response.)

5 CHAIRMAN KATZ: Take a look at Line No. 28 at  
6 least on the original, but it's Condition No. 3 that  
7 goes from Page 4 to to Page 5.

8 Do we have a motion?

9 MEMBER DRAGO: I move Section 3.

10 MEMBER HAMWAY: Second.

11 CHAIRMAN KATZ: Any discussion?

12 (No response.)

13 CHAIRMAN KATZ: All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN KATZ: Any opposition?

16 (No response.)

17 CHAIRMAN KATZ: Hearing none, we will move on  
18 to Condition No. 4, which requires the Applicant to  
19 obtain all necessary approvals and permits prior to  
20 construction and operation.

21 MEMBER HAMWAY: I move Condition 4.

22 MEMBER LITTLE: I move Condition 4.

23 CHAIRMAN KATZ: We have two of you doing that,  
24 but that's fine.

25 Is there a second?

1 MEMBER DRAGO: Second.

2 CHAIRMAN KATZ: All in favor?

3 (A chorus of ayes.)

4 CHAIRMAN KATZ: Anybody opposed?

5 (No response.)

6 CHAIRMAN KATZ: Moving now to Condition No. 5.

7 MEMBER HAMWAY: I move Condition 5.

8 MEMBER PALMER: Second.

9 CHAIRMAN KATZ: Discussion?

10 (No response.)

11 CHAIRMAN KATZ: All in favor?

12 (A chorus of ayes.)

13 CHAIRMAN KATZ: Anybody opposed?

14 (No response.)

15 CHAIRMAN KATZ: That condition is passed.

16 Condition No. 6.

17 MEMBER GRINNELL: So moved.

18 CHAIRMAN KATZ: Is there a second?

19 MEMBER HAMWAY: Second.

20 CHAIRMAN KATZ: All in favor?

21 (A chorus of ayes.)

22 CHAIRMAN KATZ: Any opposition?

23 (No response.)

24 CHAIRMAN KATZ: Condition 6 is approved.

25 Now moving on to Condition 7.

1 MEMBER FRENCH: Move Condition 7.  
2 CHAIRMAN KATZ: Is there a second?  
3 MEMBER LITTLE: Second.  
4 CHAIRMAN KATZ: All in favor?  
5 (A chorus of ayes.)  
6 CHAIRMAN KATZ: Anybody opposed?  
7 (No response.)  
8 CHAIRMAN KATZ: Moving on to Condition No. 8.  
9 MEMBER HAMWAY: I move Condition 8.  
10 MEMBER DRAGO: Second.  
11 CHAIRMAN KATZ: Any discussion?  
12 (No response.)  
13 CHAIRMAN KATZ: All in favor?  
14 (A chorus of ayes.)  
15 CHAIRMAN KATZ: Any opposition?  
16 (No response.)  
17 CHAIRMAN KATZ: Condition 8 is passed.  
18 Now Condition No. 9.  
19 MEMBER HAMWAY: I move Condition 9.  
20 MEMBER PALMER: Second.  
21 CHAIRMAN KATZ: All in favor?  
22 (A chorus of ayes.)  
23 CHAIRMAN KATZ: Any opposed?  
24 (No response.)  
25 CHAIRMAN KATZ: It passes.



1 Now to Condition No. 10, which deals with  
2 funerary objects encountered.

3 MEMBER PALMER: I move Condition 10.

4 MEMBER HAMWAY: Second.

5 CHAIRMAN KATZ: Any discussion?

6 (No response.)

7 CHAIRMAN KATZ: All in favor?

8 (A chorus of ayes.)

9 CHAIRMAN KATZ: Condition 10 passes.

10 Now to Condition 11.

11 MEMBER GRINNELL: Move Condition 11.

12 CHAIRMAN KATZ: Is there a second?

13 MEMBER HAMWAY: Second.

14 CHAIRMAN KATZ: All in favor?

15 (A chorus of ayes.)

16 CHAIRMAN KATZ: Is there anybody that's  
17 opposed?

18 (No response.)

19 CHAIRMAN KATZ: Condition 11 is passed.

20 No. 12.

21 MEMBER HAMWAY: I move Condition 12.

22 MEMBER LITTLE: Second.

23 CHAIRMAN KATZ: Is there any discussion?

24 (No response.)

25 CHAIRMAN KATZ: All in favor?

1 (A chorus of ayes.)  
2 CHAIRMAN KATZ: Condition No. 13.  
3 MEMBER HAMWAY: I move 13.  
4 MEMBER DRAGO: Second.  
5 CHAIRMAN KATZ: Discussion?  
6 (No response.)  
7 CHAIRMAN KATZ: All in favor?  
8 (A chorus of ayes.)  
9 CHAIRMAN KATZ: Condition 13 is approved.  
10 Condition No. 14.  
11 MEMBER PALMER: I move Condition 14.  
12 MEMBER HAMWAY: Second.  
13 CHAIRMAN KATZ: Discussion?  
14 (No response.)  
15 CHAIRMAN KATZ: All in favor?  
16 (A chorus of ayes.)  
17 CHAIRMAN KATZ: Any opposition?  
18 (No response.)  
19 CHAIRMAN KATZ: None.  
20 We'll move on to No. 15.  
21 MEMBER LITTLE: I move Condition 15.  
22 CHAIRMAN KATZ: Is there a second?  
23 MEMBER MERCER: Second.  
24 CHAIRMAN KATZ: Any discussion?  
25 (No response.)

1 CHAIRMAN KATZ: All in favor?

2 (A chorus of ayes.)

3 CHAIRMAN KATZ: It passes.

4 Condition 16.

5 MEMBER MERCER: I move Condition 16.

6 MEMBER LITTLE: I move Condition 16.

7 CHAIRMAN KATZ: That was Member Little and I

8 think we had Member Mercer seconding; is that correct?

9 MEMBER MERCER: Yes. Second.

10 CHAIRMAN KATZ: Any discussion?

11 (No response.)

12 CHAIRMAN KATZ: All in favor?

13 (A chorus of ayes.)

14 CHAIRMAN KATZ: 16 is approved.

15 Condition 17 has two subparts, A and B, dealing

16 with natural gas and other hazardous material pipelines.

17 MEMBER MERCER: I move Condition 17.

18 MEMBER PALMER: Second.

19 CHAIRMAN KATZ: Any discussion?

20 (No response.)

21 CHAIRMAN KATZ: All in favor?

22 (A chorus of ayes.)

23 CHAIRMAN KATZ: Anybody opposed?

24 (No response.)

25 CHAIRMAN KATZ: Condition 17 passes.

1 Condition 18.

2 MEMBER GRINNELL: Mr. Chairman, the date  
3 December 1st, was that at the request of counsel, or did  
4 they have another date that they wanted to submit?

5 MR. DERSTINE: Yeah, Mr. Chairman --

6 CHAIRMAN KATZ: We'll try that again. We're  
7 getting a little feedback. That's lawyer double talk.

8 MR. DERSTINE: That's right. On top of double  
9 talk.

10 Thank you, Mr. Chairman, Member Grinnell. I  
11 appreciate the question. I think that December 1 date  
12 is in accordance with APS's compliance filings and so  
13 that date works for the Applicant, but thank you for  
14 asking.

15 MEMBER GRINNELL: Okay.

16 CHAIRMAN KATZ: And that will be the compliance  
17 certification letter that gets filed annually. It's  
18 less than a year away for the first one, and then it  
19 will be every December 1st of every year thereafter.

20 MEMBER HAMWAY: I move Condition 18.

21 MEMBER DRAGO: Second.

22 CHAIRMAN KATZ: Discussion?

23 (No response.)

24 CHAIRMAN KATZ: All in favor?

25 (A chorus of ayes.)

1 CHAIRMAN KATZ: Any opposed?  
2 (No response.)  
3 CHAIRMAN KATZ: Condition 18 passes.  
4 We're moving to 19.  
5 MEMBER HAMWAY: I move 19.  
6 MEMBER PALMER: Second.  
7 CHAIRMAN KATZ: Any discussion?  
8 (No response.)  
9 CHAIRMAN KATZ: All in favor?  
10 (A chorus of ayes.)  
11 CHAIRMAN KATZ: Any opposition?  
12 (No response.)  
13 CHAIRMAN KATZ: Condition 19 is approved.  
14 Condition No. 20.  
15 MEMBER PALMER: I move 20.  
16 MEMBER HAMWAY: Second.  
17 CHAIRMAN KATZ: Discussion?  
18 (No response.)  
19 CHAIRMAN KATZ: All in favor?  
20 (A chorus of ayes.)  
21 CHAIRMAN KATZ: Condition 20 is approved.  
22 Condition 21.  
23 MEMBER LITTLE: I move Condition 21.  
24 CHAIRMAN KATZ: Is there a second?  
25 MEMBER PALMER: Second.

1 CHAIRMAN KATZ: Discussion?

2 (No response.)

3 CHAIRMAN KATZ: All in favor?

4 (A chorus of ayes.)

5 CHAIRMAN KATZ: Last but not least with respect  
6 to the conditions is No. 22.

7 MEMBER LITTLE: I move Condition 22.

8 CHAIRMAN KATZ: Is there a second?

9 MEMBER MERCER: Second.

10 CHAIRMAN KATZ: Any discussion?

11 (No response.)

12 CHAIRMAN KATZ: All in favor?

13 (A chorus of ayes.)

14 CHAIRMAN KATZ: Any opposition?

15 (No response.)

16 CHAIRMAN KATZ: We're now going to the findings  
17 of fact and conclusions of law. I may call a finding of  
18 fact a conclusion or a conclusion of law a fact, but  
19 we're dealing with the next section where we have six  
20 proposed findings.

21 MEMBER PALMER: Chairman, I move Finding of  
22 Fact 1.

23 MEMBER HAMWAY: Second.

24 CHAIRMAN KATZ: Any discussion?

25 (No response.)

1 CHAIRMAN KATZ: And we do have the authority --  
2 I discussed this with Member Hamway earlier, but from  
3 prior precedent we have the authority to include the  
4 amendment to CEC 135 to add the second circuit, and APS  
5 does have the authority to do that with our blessing.

6 So any discussion regarding condition -- I mean  
7 Finding No. 1?

8 (No response.)

9 CHAIRMAN KATZ: We did have a motion, I  
10 believe.

11 MEMBER PALMER: Yes.

12 CHAIRMAN KATZ: Mr. Palmer.

13 And do we have a second?

14 MEMBER HAMWAY: I think I seconded.

15 CHAIRMAN KATZ: Any discussion?

16 (No response.)

17 CHAIRMAN KATZ: All in favor?

18 (A chorus of ayes.)

19 CHAIRMAN KATZ: No. 2.

20 MEMBER HAMWAY: I move No. 2.

21 CHAIRMAN KATZ: Is there a second?

22 MEMBER PALMER: Second.

23 CHAIRMAN KATZ: Any discussion?

24 (No response.)

25 CHAIRMAN KATZ: All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN KATZ: That finding is approved.

3 Finding No. 3.

4 MEMBER FRENCH: Move Finding 3.

5 MEMBER MERCER: Second.

6 CHAIRMAN KATZ: Any discussion?

7 (No response.)

8 CHAIRMAN KATZ: All in favor?

9 (A chorus of ayes.)

10 CHAIRMAN KATZ: Anybody opposed?

11 (No response.)

12 CHAIRMAN KATZ: Finding No. 3 is approved.

13 Finding No. 4.

14 MEMBER MERCER: I move Finding No. 4.

15 MEMBER DRAGO: Second.

16 CHAIRMAN KATZ: Any discussion?

17 (No response.)

18 CHAIRMAN KATZ: All in favor?

19 (A chorus of ayes.)

20 CHAIRMAN KATZ: Anybody opposed?

21 (No response.)

22 CHAIRMAN KATZ: Finding No. 5.

23 MEMBER HAMWAY: I move Finding of Fact No. 5.

24 MEMBER PALMER: Second.

25 CHAIRMAN KATZ: All in favor?



1 (A chorus of ayes.)

2 CHAIRMAN KATZ: Any opposition?

3 (No response.)

4 CHAIRMAN KATZ: Lastly, Finding No. 6.

5 MEMBER PALMER: I move Finding No. 6.

6 MEMBER HAMWAY: Second.

7 CHAIRMAN KATZ: Any discussion?

8 (No response.)

9 CHAIRMAN KATZ: All in favor?

10 (A chorus of ayes.)

11 CHAIRMAN KATZ: Anyone opposed?

12 (No response.)

13 CHAIRMAN KATZ: The various conditions and  
14 findings have been unanimously approved with whatever  
15 amendments we discussed on the record.

16 And the introduction and project overview and  
17 CEC amendment have also been unanimously approved, but  
18 we need to take a roll call vote with respect to the  
19 paragraph that was at least originally on Page 2,  
20 beginning at Line 16, but it begins "At the conclusion  
21 of the hearing, the Committee, after considering the  
22 application, et cetera," and then we will take a roll  
23 call vote as to whether or not we have approved this  
24 CEC. I think we probably need a motion and a second,  
25 and then we can actually take the roll call vote.

1 MEMBER PALMER: Mr. Chairman, I make a motion  
2 that we approve the CEC in its entirety, including the  
3 paragraph that records the vote.

4 CHAIRMAN KATZ: Is there a second?

5 MEMBER HAMWAY: Second.

6 CHAIRMAN KATZ: Any discussion?

7 (No response.)

8 CHAIRMAN KATZ: What I'm then going to do is --  
9 Yes, Mr. Grinnell.

10 MEMBER GRINNELL: No. I'm good, thank you.

11 CHAIRMAN KATZ: Okay. That's fine.

12 I'm going to take a roll call vote and either  
13 you say yay or nay or yes or no, whichever language you  
14 wish to speak.

15 But we'll begin with Member Palmer. How do you  
16 vote?

17 MEMBER PALMER: I vote aye.

18 CHAIRMAN KATZ: Member Hamway?

19 MEMBER HAMWAY: Aye.

20 CHAIRMAN KATZ: Member Drago.

21 MEMBER DRAGO: I vote aye.

22 CHAIRMAN KATZ: Member Mercer.

23 MEMBER MERCER: I vote aye.

24 CHAIRMAN KATZ: Member French.

25 MEMBER FRENCH: I vote aye.

1 CHAIRMAN KATZ: Member Grinnell.

2 MEMBER GRINNELL: Aye.

3 CHAIRMAN KATZ: Member Little.

4 MEMBER LITTLE: I vote aye also. Thank you.

5 CHAIRMAN KATZ: And I vote aye as well.

6 I think that it was nine to nothing if my  
7 arithmetic is correct.

8 MEMBER DRAGO: I believe it's eight.

9 CHAIRMAN KATZ: Okay. 1, 2, 3, 4, 5, 6, 7, 8.  
10 With my vote of aye, I'm looking at --

11 MEMBER HAMWAY: It still would be eight. We  
12 have ten people and two are missing.

13 CHAIRMAN KATZ: Okay. Yeah. There are eight.  
14 You are correct.

15 So it's 8 to 0 for approval.

16 MR. DERSTINE: Mr. Chairman, I don't know if  
17 one of the members wants to make the motion to give you  
18 the authority to approve scrivener's errors to finalize  
19 the CEC.

20 CHAIRMAN KATZ: We'll ask Mr. Palmer to do  
21 that.

22 MEMBER PALMER: I will make that motion that  
23 you are authorized to correct any scrivener's errors,  
24 any minor changes that need to be made that don't  
25 substantively affect the CEC.

1 CHAIRMAN KATZ: Is there a second?

2 MEMBER HAMWAY: Second.

3 CHAIRMAN KATZ: All in favor?

4 (A chorus of ayes.)

5 CHAIRMAN KATZ: Anyone opposed.

6 (No response.)

7 CHAIRMAN KATZ: What I would like to do, and  
8 there may be other comments, is I want to thank counsel  
9 who I've gotten to know and feel very good vibrations  
10 with Mr. Derstine and Ms. Benally. I appreciate the  
11 hard work you put in to prepare these matters. I want  
12 to thank the panelists. And I want to thank all of the  
13 committee members.

14 The last 18 or 20 months -- I didn't do my  
15 arithmetic, but I started in September, and I just  
16 wanted to thank -- I've learned a lot. I've appreciated  
17 the courtesy that you have all demonstrated, the high  
18 level of preparation, and it's been an honor to work  
19 with all of you since September of 20 -- was that 2021?  
20 I can't keep my arithmetic straight. But anyway, it's  
21 been a pleasure, and I thank you all.

22 And I will remain available as a volunteer if I  
23 can help with any legislation that might be pending now  
24 or in the future might go forward to try to streamline  
25 this process. Because the statutes were written around

1 1970, and they never contemplated that we would have  
2 potentially hundreds of applications to interconnect  
3 solar projects and wind projects and battery projects  
4 with the grid. So this is a new adventure, and I'm  
5 hoping that legislatively the process can be  
6 streamlined. Otherwise, we'll just continue to do it  
7 the best we can, no matter what the law provides.

8           Anyway, no more speeches to make.

9           MEMBER LITTLE: Mr. Chairman?

10          CHAIRMAN KATZ: Yes, ma'am.

11          MEMBER LITTLE: I would very much like to thank  
12 you for your service to this committee and to the public  
13 in Arizona and say that I really have enjoyed very much  
14 working with you, and I wish you the very best of luck  
15 in your retirement.

16          CHAIRMAN KATZ: Thank you.

17          MEMBER LITTLE: Hope to see you around.

18          CHAIRMAN KATZ: And I know that you're a day or  
19 two older than I am, but congratulations on your  
20 birthday as well.

21                 Anybody else have any comments that we wanted  
22 to share with the committee? And I don't know that we  
23 need to remain on the record.

24                 MR. DERSTINE: I think on behalf of the  
25 Applicant and all the parties who are appearing before

1 you and this committee, we would certainly second the  
2 sentiments that Member Little just expressed. We really  
3 thank you and appreciate all your good time and good  
4 service to this committee. I think you've done a fine  
5 job, and we wish you the very best.

6 CHAIRMAN KATZ: And thank you. And even though  
7 I have my birthday tomorrow, I have less gray hair now  
8 than when I first met all of you. It's been a nice run.

9 MEMBER GRINNELL: Mr. Chairman?

10 CHAIRMAN KATZ: Yes, sir.

11 And I don't think we need to stay on the  
12 record. We should go off the record. We stand in  
13 recess.

14 (The Evidentiary Hearing concluded at  
15 10:32 a.m.)

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1 STATE OF ARIZONA )  
 ) ss.  
2 COUNTY OF YUMA. )

3

4 BE IT KNOWN that the foregoing proceedings were  
5 taken before me; that the foregoing pages are a full,  
6 true, and accurate record of the proceedings, all done  
7 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 of  
11 the parties hereto nor am I in any way interested in the  
12 outcome hereof.

13 I CERTIFY that I have complied with the ethical  
14 obligations set forth in ACJA 7-206(F)(3) and  
15 ACJA 7-206(J)(1)(g)(1) and (2).

16 DATED this 16th day of February, 2023, at Yuma,  
17 Arizona.

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20



21

22 MICHELE E. BALMER  
23 Arizona Certified Reporter  
24 No. 50489

25

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27 I CERTIFY that GLENNIE REPORTING SERVICE, LLC,  
28 has complied with the ethical obligations set forth in  
29 ACJA 7-206(J)(1).

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