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BEFORE THE POWER PLANT AND

TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF) DOCKET NO.
 SOUTHLINE TRANSMISSION, L.L.C., IN) L-00000AAA-
 CONFORMANCE WITH THE REQUIREMENTS OF) 16-0370-00173
 ARIZONA REVISED STATUTES 40-360, ET)
 SEQ., FOR A CERTIFICATE OF)
 ENVIRONMENTAL COMPATIBILITY)
 AUTHORIZING CONSTRUCTION OF THE NON-)
 WAPA-OWNED ARIZONA PORTIONS OF THE)
 SOUTHLINE TRANSMISSION PROJECT,) CASE NO. 173
 INCLUDING A NEW APPROXIMATELY 66-MILE)
 345-KV TRANSMISSION LINE IN COCHISE)
 COUNTY FROM THE ARIZONA-NEW MEXICO)
 BORDER TO THE PROPOSED SOUTHLINE)
 APACHE SUBSTATION, THE ASSOCIATED)
 FACILITIES TO CONNECT THE SOUTHLINE)
 APACHE SUBSTATION TO THE ADJACENT)
 AEPSCO APACHE SUBSTATION, AND)
 APPROXIMATELY 5 MILES OF NEW 138-KV)
 AND 230-KV TRANSMISSION LINES AND)
 ASSOCIATED FACILITIES TO CONNECT THE)
 EXISTING PANTANO, VAIL, DEMOSS)
 PETRIE, AND TORTOLITA SUBSTATIONS TO)
 THE UPGRADED WAPA-OWNED 230-KV)
 APACHE-TUCSON AND TUCSON-SAGUARO)
 TRANSMISSION LINES IN PIMA AND PINAL)
 COUNTIES.) PREFILING
) CONFERENCE

At: Phoenix, Arizona
 Date: October 3, 2016
 Filed: October 21, 2016

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COASH & COASH, INC.
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By: Colette E. Ross, CR
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INDEX TO EXHIBITS

NO.	DESCRIPTION	IDENTIFIED
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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 Power Plant and Transmission Line Siting Committee, at
4 the Arizona Attorney General's Office, 15 South 15th
5 Avenue, in the Fourth Floor Conference Room, Phoenix,
6 Arizona, commencing at 1:32 p.m. on the 3rd of October,
7 2016.

8

9 BEFORE: THOMAS K. CHENAL, Chairman

10

APPEARANCES:

11

For the Applicant:

12

SUTHERLAND ASBILL & BRENNAN, L.L.P.
By Mr. James Guy and Ms. Marty Hopkins
One American Center
600 Congress Avenue, Suite 2000
Austin, Texas 78701

15

and

16

OSBORN MALEDON, P.A.
By Ms. Meghan Grabel
2929 North Central Avenue, 21st Floor
Phoenix, Arizona 85012

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ALSO PRESENT:

21

Mr. Doug Patterson, Manager, Southline Transmission
Project
Mr. Matthew Virant, Project Manager, Project
Development, Southline Transmission Project
Mr. Mike Simonton, Western Area Power Administration
Mr. Philip Bashaw, Grand Canyon State Electric
Cooperative Association, Inc.

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1 ALSO PRESENT:

2 Ms. Linda Pollock, Attorney General's Office,
Arizona Game & Fish
3 Mr. Albert H. Acken, Ryley Carlock & Applewhite,
SunZia
4 Mr. Lawrence V. Robertson, Jr., of Counsel to Munger
Chadwick, SunZia
5 Mr. Charles Hains, Arizona Corporation Commission,
Commission Staff
6 Mr. Stan Barnes, Copper State Consulting Group,
SunZia
7 Mr. Micah Horowitz, Arizona State Land Department
Mr. Eddie Arreola, Bureau of Land Management
8 Ms. Lisa Romeo, Assistant to Chairman Chenal

9

PRESENT VIA TELECONFERENCE:

10

11 Mr. Cedric Hay, Pinal County Attorney's Office,
Pinal County
12 Mr. Bill Kipp, Southline Transmission Project
Ms. Maria Martin, Galileo Project, Bureau of
Land Management
13 Mr. Matt Walsh, Fort Huachuca
Mr. Enrique Marroquin, Southline Transmission
14 Project
Ms. Joyce Francis, Habitat Branch Chief, Arizona
15 Game & Fish

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1 CHMN. CHENAL: This is the time set for the
2 Southline prehearing -- or prefiling conference.

3 And may we have appearances, please. And when
4 you give your appearance -- we will start with the
5 people in the room, then we will get to the people on
6 the phone. We will start to my right with Mr. Guy. And
7 would you just spell your name, unless it is obvious,
8 for the court reporter so we can take that down.

9 MR. GUY: Thank you. My name is James Guy. I
10 am with the law firm Sutherland Asbill & Brennan
11 representing Southline Transmission. To my right is
12 Marty Hopkins, my colleague at Sutherland. To her right
13 is Meghan Grabel, an attorney here in town serving as
14 local counsel. To her right is Doug Patterson. He is
15 with Southline Transmission. And then to his right is
16 Matt Virant, also with Southline Transmission.

17 MR. VIRANT: V, as in Victor, I-R-A-N-T.

18 CHMN. CHENAL: All right. Let's go around the
19 table. Then we will pick up the people sitting outside
20 off the table. And then we will go to the people on the
21 phone.

22 So Mr. Acken.

23 MR. ACKEN: Good afternoon. Bert Acken of the
24 law firm Ryley Carlock & Applewhite here on behalf of
25 SunZia.

1 MR. HAINS: Good afternoon. Charles Hains from
2 Arizona Corporation Commission Legal Division on behalf
3 Commission Staff.

4 MR. ROBERTSON: Good afternoon, Mr. Chairman.
5 Lawrence V. Robertson, Jr., of counsel to the law firm
6 of Munger Chadwick, PLC, here on behalf of SunZia
7 Transmission, LLC, and also indirectly on behalf of the
8 Mountain View Ranch subdivision.

9 CHMN. CHENAL: Thank you.

10 MS. POLLACK: Linda Pollock for Game & Fish.

11 MR. BARNES: Hi. I am Stan Barnes, president of
12 Copper State Consulting Group. And I am here on behalf
13 of SunZia.

14 MR. BASHAW: Philip Bashaw, Grand Canyon State
15 Electric Cooperative Association.

16 MR. SIMONTON: Mike Simonton, Western Area Power
17 Administration.

18 MR. HOROWITZ: Micah Horowitz, Arizona State
19 Land Department.

20 CHMN. CHENAL: Okay. Thank you, ladies and
21 gentlemen.

22 Who do we have on the phone?

23 MR. HAY: This is Cedric Hay with the Pinal
24 County Attorney's Office on behalf of Pinal County.

25 CHMN. CHENAL: Mr. Hay, nice to hear from you

1 again.

2 MR. HAY: Nice to see you, or hear you I guess.

3 CHMN. CHENAL: Better to hear me than see me.

4 Who else is on the phone?

5 MR. KIPP: Bill Kipp, K-I-P, as in Peter, P as
6 in Peter, with Southline Transmission.

7 MS. MARTIN: This is Maria Martin with Galileo
8 Project. I'm here on behalf of Mark Mackiewicz from the
9 Bureau of Land Management.

10 MR. WALSH: Matt Walsh from Fort Huachuca.

11 CHMN. CHENAL: Can you repeat your name. Matt
12 Walsh?

13 MR. WALSH: Walsh, W-A-L-S-H. I'm with the
14 senior commander's office here at Fort Huachuca.

15 CHMN. CHENAL: Thank you, Mr. Walsh.

16 Anyone else on the phone?

17 MR. MARROQUIN: Yes. This is Enrique Marroquin
18 with Southline Transmission. I will spell my last name.
19 It is M-A-R-R-O-Q-U-I-N, with Southline Transmission,
20 first name, Enrique, E-N-R-I-Q-U-E.

21 CHMN. CHENAL: Thank you.

22 MS. FRANCIS: Yes, this is Joyce Francis. I am
23 the Habitat Branch Chief for the Arizona Game & Fish.

24 CHMN. CHENAL: Thank you.

25 Anyone else on the phone?

1 (No response.)

2 CHMN. CHENAL: And we have one more gentleman
3 who just came in.

4 Can you give us your name and who you represent.

5 MR. ARREOLA: Eddie Arreola, A-R-R-E-O-L-A. I
6 am with the BLM. Forgive me for being late.

7 CHMN. CHENAL: No problem.

8 Okay. Is that everybody?

9 (No response.)

10 CHMN. CHENAL: All right. Well, thank you for
11 appearing today. We have a pretty complete list of
12 items that we traditionally cover in these. And I did
13 receive some materials from Mr. Guy, which is
14 appreciated, a list of some of the people who were going
15 to be here, a draft notice of hearing, and some other
16 documents that I think were very helpful to help the
17 discussion for this project.

18 I have a number of things to talk about today.
19 Some of those who participated in the SunZia case, it
20 will be very similar to those things. So if you had a
21 chance to review the record, you will -- I don't see --
22 ironically the hearing is in the same location,
23 approximately the same time of year. So we look forward
24 to Willcox and Tucson.

25 There is an issue that I don't know if we should

1 talk about now or we should talk about it, you know, as
2 we go through the day. It has to do, in my mind, and I
3 don't know if it is an issue -- I shouldn't say it is an
4 issue. It is a question that I have. And that is the
5 participation of WAPA. As I understand this project,
6 Mr. Guy and Ms. Hopkins, I should say both of you, and
7 Ms. Grabel -- I will just say Mr. Guy, but you know I am
8 talking to all of you.

9 We have a new line that's coming in from around
10 Las Cruces into the Apache substation just a little west
11 of Willcox, which is a new line, which is the, at least
12 the portion in Arizona, is the subject of the, will be
13 the subject of the application, as well as some tie-in
14 lines to the various five substations, including Apache.
15 So that would be the subject of the application.

16 From Apache to the Tortolita substation is an
17 existing WAPA line that will be upgraded. And that is
18 not the subject of the application because it is a WAPA
19 line.

20 I guess what I would like to know a little more
21 about, and I know we have a representative from WAPA
22 here -- and the reason I ask it, I have gone on the
23 Southline website. I have done a little poking around.
24 And I see, every time I look, I see something to the
25 effect of the participation, the exact participation of

1 WAPA in this line has not been determined.

2 So what is going to be, if you can tell me, the
3 participation of WAPA in what I will call the upgraded
4 line? Will it be totally owned by WAPA, understanding
5 they may subcontract out the work to other people, but
6 at the end of the day will it be wholly owned by WAPA,
7 or will there be participation from entities other or in
8 addition to WAPA that will have a participation in that
9 line?

10 MR. GUY: Sure. I will take the first step in
11 sort of answering that question, and then I think both
12 Mr. Patterson, probably Mr. Virant, and then maybe the
13 WAPA rep as well --

14 CHMN. CHENAL: Sure.

15 MR. GUY: -- can add to that.

16 No, I think absolutely you have correctly
17 described what is on the website and what we have
18 described with respect to the two parts of the project.
19 I mean the project from the state line between Arizona
20 and New Mexico to Apache is definitely part of the
21 expected application. That will be entirely constructed
22 and operated by, owned by Southline Transmission.

23 Starting Apache over, that is the section that
24 we call the CEC -- well, the project upgrade, the
25 upgrade section. And the only parts of that that we are

1 proposing to include with our CEC is, as you have
2 described in the application, are the new substations
3 and the work that's going to be done to substations that
4 will be connecting the project to existing utilities,
5 existing load-serving entities, primarily Tucson
6 Electric and Arizona Electric co-ops.

7 So the section that is not subject to the CEC
8 application, or at least as we are currently proposing
9 to file it, is a section that will be, it is an existing
10 WAPA line, 115 kilovolt, will be upgraded 230 kilovolt.
11 And that construction will be performed by WAPA. And
12 WAPA will continue to own and operate that line. And
13 because they do those two things, construction, own and
14 operate, I mean I think that's the reason why we believe
15 that WAPA doesn't need to be an applicant.

16 Now, there may be more to it as far as the
17 agreement and how the companies are working together,
18 how WAPA and Southline are working together. I think it
19 could be beneficial to hear from others.

20 CHMN. CHENAL: Sure. Why don't we hear from
21 others on that.

22 MR. PATTERSON: Sure. So I guess just -- this
23 is Doug Patterson.

24 CHMN. CHENAL: Yeah.

25 MR. PATTERSON: To add a little more context, I

1 would say that you correctly identified that WAPA's
2 participation has not been formalized or finalized.
3 They are still evaluating their participation in the
4 line. But the proposal would be, just as James
5 described, that Western currently owns and operates the
6 current line from Apache to Saguaro, that they would
7 still in the future, and that Southline would work with
8 WAPA to upgrade that portion of the line in the context
9 of the larger project that you correctly summarized.

10 WAPA did make the decision that they would
11 evaluate the project for the NEPA process. And so they
12 served as a lead agency in the NEPA process and
13 subsequently issued a Record of Decision for the
14 environmental analysis under NEPA, but that they would
15 have a subsequent decision to be made on their
16 participation.

17 But, let's see.

18 CHMN. CHENAL: May I ask, Mr. Patterson -- and
19 thank you for that. I guess that's still the question
20 that I am thinking about. And I appreciate that if WAPA
21 presently owns it, they construct it and own it at the
22 end, that's not going to be a, in my mind, not really a
23 jurisdictional issue. It wouldn't be part of the
24 application.

25 I am not trying to be difficult here. I did

1 raise this issue with Mr. Bushee, your partner.

2 MR. GUY: That's correct.

3 CHMN. CHENAL: Okay. I have just been thinking
4 about it. But it is -- I keep hearing the same thing.
5 And I don't mean to press, but, you know, the
6 participation has not been determined yet. And I just,
7 at the end of the day, if at the end of the construction
8 or at the end of this process the permit, the CEC is
9 issued, and it is then determined, WAPA then determines
10 that, well, we are not going to have 100 percent
11 interest in it, we are going to have a 30 percent
12 participation interest in it and we are going to have
13 other entities come in and buy up or participate for the
14 other 70 percent, then it is not as clear to me. And so
15 that's why I keep asking the question.

16 MR. PATTERSON: Sure. I think we could probably
17 help a little bit, and Matt as well.

18 CHMN. CHENAL: Sure.

19 MR. PATTERSON: Sure. So while the decision
20 hasn't been made, there has been a lot of work done, and
21 pretty, I think -- and a lot of substance to how that
22 arrangement would be, which was really the basis of a
23 filing that was made with FERC for a petition for
24 declaratory order that outlined who would, you know,
25 essentially have what, what capacity rights Southline

1 would have, and which Southline would essentially have
2 capacity rights on the upgrade section, though Western
3 would own and operate the assets on the upgrade session.
4 And so I think, I think the issue that you are raising,
5 you know, in terms of who would own what if it went
6 forward and how, that is more defined, I think.

7 And so in Southline's -- the capacity rights for
8 Southline's share of the project were the subject of an
9 open solicitation under a FERC approved process that
10 kicked off in March. And the window closed in June.
11 And that identified interested parties who were
12 interested in using Southline's share of the capacity.
13 And those negotiations with those parties are currently
14 ongoing.

15 It also, the balance of the capacity would be
16 WAPA's capacity to fulfill both existing contracts that
17 they have with their existing customers as well as
18 capacity rights WAPA would have for its involvement in
19 the project.

20 MR. VIRANT: I think that's all right. And I
21 think one thing to add is, you know, to the extent those
22 facts changed, that isn't in our current plan, and I
23 think that would be a change in what we plan to file.
24 And that would just have to be addressed if that somehow
25 did happen.

1 But like Doug said, there has been a lot of
2 progress on determining what roles each of the entities
3 and what ownership each of the entities would have. But
4 the final signatures can't be in until several items are
5 accomplished, one of which being that the balance of the
6 project can be built by Southline, which would be the
7 subject of the CEC application.

8 CHMN. CHENAL: Is it Mr. Simonton?

9 MR. SIMONTON: Yes.

10 CHMN. CHENAL: Yes. What is your view on this,
11 sir, on the participation of WAPA in the line?

12 And in my mind is there -- maybe there is a
13 difference between ownership and capacity rights. I
14 don't know if those are necessarily the same thing. I
15 mean, if I own a line, I could allow you to use the
16 line. But if you and I own the line, then we both use
17 the line. So I just, you know, capacity may be one
18 issue and ownership is another, and I am still trying to
19 get to the heart of that.

20 MR. SIMONTON: Well, I think it is important to
21 note that the project is, while it has two distinct
22 segments to the project, it is a project in its
23 entirety. And so I understand why questions might be
24 focussed on one segment as opposed to the other, but,
25 again, we always view this project, as proposed, a

1 project in its entirety and not just this piece as
2 opposed to that piece. So our participation has been
3 looked at in a holistic manner to the whole project.

4 We have had interest in ownership of capacity on
5 the new build. Apparently, essentially our appetite for
6 owning the facilities or having the operation and
7 maintenance responsibility to date has not been as
8 attractive to us to exit out into the New Mexico area.
9 But, nonetheless, we do have a configuration of
10 customers that may need that capacity. We see it
11 advantageous to be able to absorb some of that capacity
12 into our existing marketing infrastructure for our
13 transmission. It adds flexibility for our customers.
14 It is an attractive product.

15 I think it is also important to note that, as
16 proposed, this project was brought to Western under a
17 level of interest in our Transmission Infrastructure
18 Program, and which is able to loan monies, which has a
19 renewable nexus. That new build segment is the outreach
20 for that renewable nexus, is my understanding. The
21 upgrade segment, as constructed right now, is what it
22 is, and it has not been identified as a renewable hot
23 zone, whereas reaching out into that new build through
24 the TIP financing would be an avenue to providing a
25 collector system for renewable resources.

1 CHMN. CHENAL: So, Mr. Simonton, the
2 application, you can appreciate, is presently intended
3 to only cover the new build and certain connections to
4 the substations but not the upgraded line.

5 Is WAPA going to own 100 percent of the line
6 when it is completed? I am talking about the upgrade
7 line. Will WAPA own 100 percent of that?

8 MR. SIMONTON: We will own 100 percent of the
9 facilities and a partial ownership of capacity interest.

10 CHMN. CHENAL: Okay. And what document
11 describes that or outlines that?

12 MR. SIMONTON: Between the parties we have some
13 tentative agreement in a participation principles
14 agreement.

15 CHMN. CHENAL: Okay.

16 MR. SIMONTON: And we have yet to fully draft
17 those into full-on binding contracts. But that would be
18 the intent, is, once we feel like -- once a decision is
19 made, to say, yeah, we are going to go ahead and
20 participate in the project. If that seems like it is in
21 the best interest to our customer base, that would be
22 solidified within the contracts.

23 CHMN. CHENAL: So let me go back and ask
24 Southline, Mr. Guy.

25 Does that correctly state what will happen in

1 this case, that WAPA will own 100 percent of the assets
2 and on the upgraded line at the completion of the
3 project?

4 MR. GUY: That has been my understanding, and it
5 is the capacity, you know, the percent of capacity that
6 WAPA might own or have rights to that's different.

7 CHMN. CHENAL: Okay, okay. That's helpful.

8 Does anyone of the group on the phone have any
9 comments they might want to make on this issue?

10 Mr. Robertson.

11 MR. ROBERTSON: Yes. Thank you, Mr. Chairman.

12 When we took appearances, I indicated I was here
13 on behalf of Southline (sic) and, I went on to add,
14 indirectly here on behalf on the Mountain View Ranch
15 subdivision. And I wanted to explain that and then make
16 a comment. Because I think what I am going to describe
17 to you presents somewhat of a dilemma that you, as
18 Chairman of the Siting Committee, and the Siting
19 Committee will have with this jurisdiction segmentation.

20 More specifically, the Mountain View Ranch
21 subdivision is located on the south side of
22 Interstate 10 where the Sonoita Highway intersects with
23 Interstate 10. So it is southeast of Tucson. It is an
24 existing subdivision. There are some homes that have
25 already been built there. There are some platted lots

1 yet to be built. And then there is another residential
2 subdivision on the south side of Interstate 10 directly
3 east of there. The existing WAPA 115kV line goes right
4 through both those subdivisions in a 100-foot
5 right-of-way.

6 Back in 2014, in the summer of 2014, I was
7 engaged by the owners of the Mountain View Ranch
8 subdivision to file comments on NEPA's draft
9 environmental impact statement. And they filed those.
10 I didn't. They were signed by, I believe, an Anthony
11 Marrs, who is one of the owners of the subdivision. And
12 they expressed concerns about what the impact of the
13 project would be, the upgrade facilities coming through
14 an existing subdivision with people already living
15 there. And their comments speak for itself.

16 I have not done any work for them in connection
17 with that since then. And I am not here officially
18 today representing them, and I would like the record to
19 reflect that. Because I was recently asked by Southline
20 (sic) to plan to sit in on the Siting Committee hearing
21 as an observer.

22 MR. GUY: And SunZia.

23 MR. ROBERTSON: I'm sorry, SunZia. Thank you,
24 Mr. Guy, for the correction.

25 And I agreed to do so. So my plan is to attend

1 the hearings and sit in as an observer. But I did feel
2 I should bring to your attention this situation that the
3 Mountain View Ranch subdivision has, and the subdivision
4 next to it, because it is conceivable that you, the
5 Siting Committee, will have this project before you. I
6 don't know whether Mountain View Ranch subdivision will
7 decide to intervene or not. That will be a decision for
8 them to make, and to engage counsel if they do. But if
9 they do, you will be considering the impact of the
10 proposed upgrade facilities on the Mountain View Ranch
11 subdivision and the one immediately west of it, and I
12 forget the name of it right now, but you will have an
13 application before you for a certificate of
14 environmental compatibility that will not address that
15 part of the overall project.

16 I believe it was Mr. Simonton a moment ago used
17 the word holistic in connection with some of his
18 comments. Well, you have got a holistic situation here.
19 You may have a CEC request for a portion of the project.
20 They may be viewed as separately. Certainly WAPA
21 appears to. But they are physically and functionally
22 interconnected as well.

23 So I simply wanted to bring that to your
24 attention today. I am not billing any time today to
25 Mountain View Ranch subdivision. This is purely

1 professionally gratuitous on my part. But I felt you
2 should be aware of it.

3 CHMN. CHENAL: All right. Well, thank you. Any
4 other comments?

5 (No response.)

6 CHMN. CHENAL: Okay. I appreciate that we
7 jumped the gun on this and didn't kind of go through the
8 normal process of talking about the hearing location,
9 you know, the posting of the notice and things like
10 that. But, in my mind, this issue could impact the
11 length of the hearing or what the application really
12 would cover. And it may be it is not an issue. Okay?
13 I mean, based on what I'm hearing, it may very well not
14 be.

15 But I will probably want a little briefing on
16 that. And, you know, I don't have the authority to
17 require anything until the application is filed and I
18 provide, you know, I enter a procedural order. But I
19 certainly wouldn't mind getting, you know, any
20 information that you can share with me, you know,
21 beforehand. I am just thinking out loud how that can be
22 done if there is no application filed.

23 I am going to ask Mr. Hains this tough question.
24 Is that even permissible, Mr. Hains? Do you have that
25 kind of information provided? Maybe I should wait until

1 the application is filed. That would be cleaner.

2 MR. HAINS: It would be cleaner. If you were,
3 you know, where you were at a procedural direction
4 requiring parties to brief the subject, I think you
5 would want to wait until there is actually an
6 application.

7 CHMN. CHENAL: And that's what I am going to do.
8 We can wait on that. But you will expect that in a
9 procedural order there will be some briefing required on
10 the issue. If there is some confidential documentation
11 involved, you know, you can provide what information,
12 you can describe it in the manner that doesn't disclose
13 any such confidential information.

14 But in light of what Mr. Robertson said, I am
15 wrestling with it. I got to tell you. Because I, you
16 know, I appreciate that if WAPA owns 100 percent of the
17 line, we may not have jurisdiction. It also does impact
18 those certain -- maybe that's just too bad we don't have
19 any jurisdiction.

20 But I will tell you there is a case that has
21 been filed previously. And it is Case 1 -- it is Case
22 70, Case 70. It is an SRP project. It was a line where
23 WAPA was a participant, not the sole owner, but was a
24 participant among a number of participants. And that
25 application, in fact, went through the line siting

1 process before the Line Siting Committee and the
2 Corporation Commission.

3 So I think the extent of participation of WAPA
4 in the upgraded line may be significant with respect to
5 whether the Line Siting Committee has jurisdiction over
6 that upgraded line. And if the ownership is 100 percent
7 with WAPA, it may be that there is no jurisdiction.

8 In this case, apparently there was some
9 participation by WAPA and it went through the process.
10 So, to me, it is just kind of a, you know, it is not
11 a -- it is not decided in any fashion. I am not
12 suggesting there is an issue or problem. I just raised
13 it with Mr. Bushee and I just thought I would bring it
14 up here.

15 MR. GUY: I certainly appreciate that, Chairman.
16 I think that's a reasonable approach, and we will be
17 happy to provide you with information in advance and
18 accommodate briefings in the procedural orders.

19 CHMN. CHENAL: Yeah, we want to get all these
20 issues decided before the hearing starts. And I can
21 assure you the Committee will be interested in this
22 issue as well. You know, I just don't want to have
23 surprises. I want to make sure we fully have vetted
24 these issues and have them decided beforehand.

25 So let's go back to where I may have started,

1 which is the Notice of Hearing, posting and publishing,
2 things like that. I appreciate the Notice of Hearing,
3 the draft that you provided, Mr. Guy. Do you want to
4 kind of describe what you have in mind? And then let's
5 talk about maybe how much time you think you are going
6 to need for the hearing, at each location there will
7 probably be a tour involved with this project, when the
8 tour should occur, building in some additional time.

9 And I want to let you know, for example, the
10 tour that you suggested happening at the end of the
11 second week, you know, usually at the end we reserve
12 time to actually prepare the CEC with the applicant.

13 MR. GUY: Okay.

14 CHMN. CHENAL: So we would have to move that,
15 but I have some ideas on that.

16 Why don't you tell us about how much time you
17 think it would be and how you laid this out for the
18 people that don't have this draft.

19 MR. GUY: Absolutely happy to. And, actually,
20 we have a number of copies that Ms. Hopkins can pass out
21 and give to the court reporter as well.

22 CHMN. CHENAL: Let's mark that as Exhibit No. 1.

23 MR. GUY: Chairman, what we did is, as you
24 suggested earlier, we have looked at the transcripts,
25 actually transcripts, plural, of the two most recent

1 Line Siting Committee cases that have happened. So we
2 have largely modeled our Notice of Hearing after those
3 two. And based on that, we have selected a couple of
4 hearing dates and locations based on the location of the
5 project and the dates that the Committee is available.
6 And we have tentatively reserved the first hearing to
7 begin on November 29th after lunch at 1:00 in the Tucson
8 Convention Center. And we have scheduled starting on
9 Tuesday at lunch and continuing through Friday, with
10 Friday being a possible tour day if that's something
11 that the Committee would find helpful or yourself would
12 find helpful.

13 And then we would pick up the hearing again on
14 the following Monday on December 5th. But that would
15 pick up in Willcox, Willcox Community Center. And we
16 have that scheduled for Monday through Thursday of that
17 week with, like you suggested, Thursday being a possible
18 tour day. If that conflicts, if we rather put that at a
19 different time, we can certainly do that.

20 I think that is probably all the hearing time we
21 are going to need, and we may not even need all of that
22 hearing time. I understand we have another issue we may
23 need to address. But it does, to me, still sound
24 reasonable from a timing perspective. And the locations
25 were primarily picked due to the location of the project

1 overall. You know, the Willcox project, Willcox
2 location is more or less in the midpoint of the new
3 build section near some potentially environmental
4 sensitive areas. We thought that was a good location.
5 And then Tucson, of course, is on the upgrade section
6 and near some of the revised stations and some of the
7 things we are doing there.

8 So that's the summary of the dates and then the
9 locations of the hearing.

10 CHMN. CHENAL: Okay. What about the Friday,
11 December -- would it be December 9th? Is that the
12 Friday? I don't have a calendar in front of me.

13 MR. GUY: December 9th would be a Friday of the
14 second week.

15 CHMN. CHENAL: Would it be possible to reserve
16 that facility for that day?

17 MR. GUY: I am sure. We will look into it.

18 CHMN. CHENAL: That's if we need it. I would
19 rather reserve more days and need it than run out of
20 time and not know what to do. Then we have got to bring
21 the whole circus back into Willcox at some other time,
22 and we have got the holidays there to have that happen.
23 So that was one thought I had.

24 The other thought I had was days for the tours.
25 Presently you have suggested Friday, December 2nd, as a

1 tour day in Tucson. Why don't you, if you can tell me,
2 what would be the, what would the tour cover on that
3 day? And I am going to suggest we move that up a day or
4 so. What would that tour cover?

5 MR. GUY: I think that's fine. I think with
6 respect to the tours, we probably -- we haven't nailed
7 down all the details of the tour schedule yet, or even
8 the location. But at the end of the Tucson, the
9 hearings in Tucson, the tour would primarily cover some
10 of the station locations that we are going to be doing
11 some work on, so DeMoss Petrie for Tucson Electric.

12 And the other thing with the tour, I think,
13 because the things that are largely of interest on this
14 section, at least what we are thinking about, you know,
15 with the work that is going to be done, subject to the
16 CEC application, is on these stations, so we are going
17 to need to coordinate with Tucson Electric since the
18 majority of the stations, Tortolita, DeMoss Petrie, and
19 Vail, are Tucson stations, and then if we get down to
20 Pantano that's an AEPCO station, so we would want to
21 coordinate with those utilities on the time and date.
22 But I think moving it up a day or a different day would
23 be fine with us.

24 CHMN. CHENAL: And how long -- I am just
25 thinking out loud. When we had the SunZia case, we had

1 a lot of traveling to get to the places and it was off
2 road. So we figured we would need a day. I am just
3 wondering if we need a day if we were to do a tour of
4 those substations, as you describe it. And we would be
5 basically traveling along essentially the route anyway
6 even though it would be part of the upgrade line, but --
7 well, I don't know that you can answer that question.

8 MR. GUY: Well no, we have had very, very early
9 conversations about that. And we proposed two different
10 tour dates because it seemed logical to have a hearing
11 in each location followed by a tour.

12 But I think you are exactly right. I mean a lot
13 of the traveling necessarily would be on I-10. And I
14 think we could probably cover the entire tour, the
15 entire project in one day if we scheduled it out
16 correctly. So if we wanted to save the tour for -- we
17 could certainly cover the half in Tucson.

18 CHMN. CHENAL: I am thinking the half, Mr. Guy.
19 I don't know if we need a whole day for that or a half a
20 day, but for now let's assume it is a whole day. They
21 always take longer than you think. But as far as the
22 day, I am wondering if Friday would be a -- Thursday
23 would be, the 1st, would be a better day than the 2nd.

24 MR. GUY: That's fine. We can pencil in
25 December 1st. We will coordinate with the utilities and

1 report back to you as soon as we can.

2 CHMN. CHENAL: I don't know how long the hearing
3 is going to take. But if we start Tuesday afternoon and
4 go Wednesday and Thursday, knowing you have the hearing
5 the following week in Willcox, I suspect you will need
6 all that time.

7 I don't have a strong feeling whether it should
8 be a Thursday, but part of my thinking is this. One of
9 the purposes of the tour is to generate some questions
10 and resolve some issues that might arise in the minds of
11 the Committee. And if you have already had the
12 testimony, it is kind of harder then to come back and
13 cover that ground again; whereas, if you have the tour
14 kind of in the middle, you know, that will generate
15 questions. It will put things into focus. It will set
16 the stage for the line. It will make a lot more sense
17 for the testimony. So moving it up, I think, a lot of
18 times seems to me more practical and beneficial than
19 putting it at the tail end. So I might think Thursday
20 would be a better day for the tour, the 1st of December.
21 And then the following week --

22 MR. GUY: The same idea --

23 CHMN. CHENAL: -- I think the same idea.

24 MR. GUY: -- is what you are thinking?

25 CHMN. CHENAL: I don't know how much time we are

1 going to need in the following week. I mean some of
2 this depends who might intervene, how long -- if it is
3 going to be really contested, if it is going smoothly
4 and we will be finished.

5 I can imagine the Committee, how they would
6 feel, if we finish up on a Tuesday and we have got to
7 wait until Thursday for a tour and then we can't start
8 the CEC until Friday. So I am thinking maybe the 6th.
9 Get my days out here, make sure I am --

10 MR. GUY: That would be a Tuesday.

11 CHMN. CHENAL: Maybe a Tuesday, if we start
12 Monday morning, the 5th, in Willcox, not knowing how
13 much time you are going to need but probably
14 anticipating people will want a tour, maybe have it on
15 the 6th. And then we have the rest of the week as
16 necessary to finish up testimony and then move into the
17 CEC. I just throw that out. I don't know if there is
18 any, if the folks here on the phone have any thoughts on
19 that one way or the other.

20 I don't hear any ground swell of, I will say,
21 opposition to the idea. So I am thinking maybe, you
22 know, the 6th or 7th might be more practicable for the
23 tour.

24 MR. GUY: I think that makes sense. And then
25 subject to -- well, certainly on the 6th I think we

1 would have more flexibility than the first week because
2 I think there is less coordination required and we know
3 where we are going.

4 CHMN. CHENAL: And I am thinking two tours.

5 MR. GUY: Right.

6 CHMN. CHENAL: Okay. So let's look at that, and
7 that will give us some time for any testimony, clear up
8 any questions that arise because of the tour.

9 Will you have the possibility for a virtual tour
10 if the Committee decides that they don't want to take
11 the tour? I think they will. I think I would like to
12 see it anyway. But if there is a reason we don't do it,
13 we have bad weather, if nothing else, an opportunity for
14 a virtual tour?

15 MR. GUY: I don't know, when you say a virtual
16 tour, something on our website?

17 CHMN. CHENAL: No. Flyover, Google Earth,
18 something like that would kind of give -- with some
19 photos, something to, you know, virtually tour the
20 substations and the route of the new line.

21 MR. GUY: Yeah, absolutely. I think that's
22 something we probably already have prepared in many
23 cases, or can prepare.

24 CHMN. CHENAL: I suspect you do. I think that
25 would be good to have just as the option.

1 All right. And I think having that last day
2 just if we need it, the last day in Willcox, the 9th,
3 just in case we need it would be a good idea.

4 MR. GUY: Okay.

5 CHMN. CHENAL: The worst situation is to run out
6 of time.

7 MR. GUY: I understand. And I think we have
8 another week that's available. We are getting closer
9 and closer to the holidays.

10 CHMN. CHENAL: Right.

11 MR. GUY: That makes sense.

12 CHMN. CHENAL: Let's talk about publication.
13 Have you decided which papers you want to use?

14 MR. GUY: I believe we have. And, again, we
15 have modeled it after some of the recent cases.

16 CHMN. CHENAL: Sure.

17 MR. GUY: So our plan is that, once the official
18 notice is entered and signed, then we would arrange
19 publication in the Arizona Republic and Arizona Daily
20 Star twice each. And then we have selected, we haven't
21 scheduled this, but we have selected three local
22 newspapers in Cochise County and Tucson, the Arizona
23 Range News, San Pedro Valley News, and the Explorer
24 Newspaper. There would be one publication in each of
25 those small newspapers.

1 CHMN. CHENAL: Very good. It seems to be a
2 perennial problem of getting those notices out in time.
3 So I work very closely with the applicant, I will with
4 you, to make sure to get that notice of hearing out
5 immediately after the filing of the application so you
6 have as much time as possible to get it to those smaller
7 papers and meet their publication --

8 MR. GUY: Absolutely.

9 CHMN. CHENAL: -- deadlines.

10 What about signs, signage, what do you propose
11 in that area?

12 MR. GUY: We are, and we haven't finalized the
13 design of our signs yet, but we have prepared the
14 language, if you will, and the map that would go on the
15 sign. And that was one of the documents I sent over
16 this morning. And then also Ms. Hopkins has another,
17 has some copies of that document she can distribute.

18 CHMN. CHENAL: We will make Exhibit 2 the Notice
19 of Public Hearing, the draft --

20 MR. GUY: So this is --

21 CHMN. CHENAL: -- signage.

22 MR. GUY: -- the text. What we are calling
23 Prefiling Exhibit 2 is the text, if you will, that would
24 go on the sign. And we were -- you know, it looks to me
25 like what seems to be typical of a four-by-eight sign

1 placed along the road at various places.

2 CHMN. CHENAL: Yes.

3 MR. GUY: So this is, the Exhibit 2 would show
4 the text, which is roughly, you know, the introductory
5 paragraph of the official notice, along with the hearing
6 dates and times, which Exhibit 2 will obviously have to
7 be modified to reflect our revisions to the Notice of
8 Hearing. But we are also going to attempt to put a map
9 on the sign itself. We think that would be helpful.
10 And so this is the substance of the sign.

11 With respect to the locations, you know, we are
12 still identifying the locations of the signs. But we
13 are thinking, you know, five or six. And we can talk
14 about some of those locations now, or in the next few
15 days we can kind of tell you what we are thinking about.
16 But it seems to us that there are a couple of obvious
17 locations, you know.

18 I am looking -- and as a matter of fact, we can
19 distribute this as well, if we haven't already. We have
20 an 11-by-17 version of an overview map of the project.

21 And so, looking at that map, we have the line,
22 you can tell, coming from New Mexico west into Arizona.
23 It crosses Interstate 10 shortly after it enters the
24 state. We thought it would be a reasonable, you know,
25 location to put a sign there at the crossing. Once you

1 get south of Willcox, there is a location where the
2 proposed project crosses Highway 186, Kansas Settlement
3 Road -- that's a traffic area there also near the
4 Willcox Playa area -- Crane Lake, and some of the more
5 environmental sensitive areas we are coming near. So
6 that would probably be a good location. And then we are
7 thinking another location may be near the Apache
8 substation there at 191. So you have two or three in
9 this area, new build section.

10 And then with respect to the upgrade section,
11 you know, we believe we probably need one around Tucson,
12 near highway 77, I-10 there. We are getting relatively
13 close -- I think that, actually, part of the project is
14 within Tucson's jurisdiction. So we want to make sure
15 there is sufficient notice there. And then we can, you
16 know, one or two at some of these other station
17 locations where it makes sense from a traffic
18 perspective.

19 CHMN. CHENAL: Vail, I am thinking that area. I
20 don't know what is around Pantano substation, but the
21 Vail substation, I know there is population there.

22 MR. GUY: Okay. So that would be, if we had one
23 close, close to the DeMoss Petrie substation, or in that
24 area, one near Vail, and then the three in the new
25 build, that would give us five signs. You know, it

1 might make sense to put one up near the Tortolita area
2 as well.

3 CHMN. CHENAL: I think it would. That sounds
4 reasonable to me.

5 MR. GUY: Okay. Well, we will move forward on
6 coordinating and getting permissions to do that and
7 finalizing signs.

8 CHMN. CHENAL: All right. Very good. Any
9 comments or concerns from anyone on the phone or in the
10 room on the discussion involving signage?

11 (No response.)

12 CHMN. CHENAL: Okay. All right. Very good.

13 And you have already provided a notice, draft
14 notice to affected jurisdictions, not the notice, but
15 you listed the affected jurisdictions?

16 MR. GUY: We have. There are five jurisdictions
17 that the project affects: three counties, Cochise,
18 Pinal, and Pima, and then within Tucson as well. I said
19 three. I guess I listed four, three counties and then
20 Tucson.

21 CHMN. CHENAL: Okay. We have talked about the
22 location of the hearings, Willcox and Tucson. That
23 sounds reasonable.

24 Lodging for Committee members and Colette.

25 MR. GUY: We understand that's helpful and we

1 are agreeable to doing that. I think we booked rooms in
2 both Willcox and Tucson already. And we can let them go
3 if we change, but we will make sure they are available
4 on the change of the hearing dates we have made, but
5 currently we have those arranged.

6 CHMN. CHENAL: Okay. The way, I guess, it has
7 happened in more recent hearings is the applicant has
8 actually paid directly for the cost of the rooms as
9 opposed to, you know, reimbursing later. That seems to
10 be preferred, I think, as you can imagine, by the
11 Committee members, but...

12 MR. GUY: And we are agreeable to do that. I
13 think that's something that we --

14 CHMN. CHENAL: Do you know where you have it in
15 Willcox or Tucson?

16 MR. GUY: I think in Tucson the Marriott
17 Courtyard.

18 CHMN. CHENAL: Holiday Inn in Willcox? Okay.

19 MS. HOPKINS: Yes.

20 CHMN. CHENAL: We are familiar with the Holiday
21 Inn in Willcox. I didn't hear what I would have dreaded
22 hearing in Tucson, the name of a particular hotel.

23 MR. GUY: Is that right? So we picked the right
24 one?

25 CHMN. CHENAL: Well, you didn't pick the wrong

1 one. We were considering an alternative route in the
2 SunZia case just to see if we could take that place out.
3 It didn't happen. Okay. Very good.

4 The evidentiary hearing, assuming it is not
5 really contested, Mr. Guy, what, how many days do you
6 think you will need? We will take care of the days in
7 Tucson, but, what, do you have a guess as to what you
8 will need in Willcox, considering one day will be a
9 tour?

10 MR. GUY: Right. You know, we don't have a
11 real -- I mean we believe our case, you know, will be
12 probably not more than three or four days really. I
13 mean maybe even two or three days.

14 And this is a process. I mean, you know, they
15 have been, we have been developing the Southline project
16 for the last six years, been through the NEPA process.
17 There are a number of stakeholders, a number of
18 interested persons that the company has already worked
19 with and made adjustments to.

20 So we are learning about some potentially
21 interested folks that we are going to need to work with,
22 but we are not aware of a large amount of opposition to
23 the project. So, you know, it might be helpful to those
24 that are -- you know, we have heard from Mr. Robertson
25 and one interest. So I am not sure if it is going to be

1 much longer than two or three days total, but other
2 folks do need the opportunity to put on their case.

3 CHMN. CHENAL: But if we start in Tucson on the
4 afternoon of Tuesday afternoon, and one day is reserved
5 for a tour, you will not have completed the hearing that
6 week.

7 MR. GUY: That's right.

8 CHMN. CHENAL: You will definitely need time in
9 Willcox, and we will have a tour day on, say, Tuesday in
10 Willcox. So you feel comfortable that we will get to
11 Tuesday between the tours and the hearing?

12 MR. GUY: Yes, absolutely. I think that is a
13 great idea for you to suggest moving that to Tuesday for
14 that very reason.

15 CHMN. CHENAL: Because we will have time then
16 for the Committee to go through the process on the CEC,
17 which means, you know, we actually go through -- we will
18 have to take the draft CEC. We will go through it
19 basically paragraph by paragraph and then vote on it on
20 a roll call vote at the end. But that takes time.
21 People have additional conditions they might want to
22 add. So that does take a little time. And we want to
23 be careful. That's the important part of the process.

24 MR. GUY: Right.

25 CHMN. CHENAL: So you will come up with a plan

1 for the tours when we have our prehearing conference?

2 MR. GUY: Yes. And we will get something nailed
3 down before then even.

4 CHMN. CHENAL: All right. Very good.

5 Let's talk about dates for the prehearing
6 conference. Here is the joy of having this hearing in
7 between Thanksgiving and Christmas holidays, New Year
8 holidays, Hanukkah holidays. I guess if I say
9 Christmas, I have got to get them all in there, the
10 holidays.

11 I am out the week of Thanksgiving. I am out of
12 the country. So I come back and then immediately go
13 down to Willcox. So we have to have the prehearing
14 conference prior to Thanksgiving week.

15 Here is the thing. The intervenors have to file
16 within ten days before. And I don't think there is
17 absolute consensus on what you mean when you say ten
18 days. Because if it is, you know, the Rules of Civil
19 Procedure, you don't count the intervening weekends and
20 holidays. We all know that. But I have heard from too
21 many people that, where you have language that's a
22 little loose like that in the rules, that, you know,
23 someone who is not an attorney may read that as calendar
24 days and you might disenfranchise somebody.

25 So the more conservative view is to count ten

1 calendar days, excluding Thanksgiving. So that would
2 take us back to the 18th of November, the Friday.
3 That's ten days before the hearing date of the 29th,
4 less Thanksgiving. I don't like that because I would
5 like to have a little more room in case something comes
6 up that we need to deal with before I am leaving.

7 So what I was going to suggest is the following,
8 that we have that on, say, the Wednesday, the 16th,
9 could even do it Thursday the 17th. But in the event
10 someone were to file a notice of intervention on
11 Thursday at 5:00, and we have already had the prehearing
12 conference, we could still hold a telephonic conference
13 on that Friday and deal with any issues. But I don't
14 want to have our prehearing conference on the day
15 before, you know, basically a holiday week and everyone
16 is getting out of town. If something comes up at the
17 last minute, we don't have time to adjust to it. So I
18 am suggesting we hold it on the Wednesday, the 16th.
19 And if we need another hearing, we can do it
20 telephonically so you won't have to travel back.

21 And I just want to float that idea. I just
22 don't like surprises. Like the last hearing we had, at
23 5:00 on a Friday, 4:00 on a Friday before the hearing
24 started Monday in Yuma, we got a notice of intervention
25 requesting to intervene. It was past the rules, but not

1 fun to deal with that at the last minute. And I just
2 would rather have a little more time, even though
3 normally we have it within ten days prior to the
4 hearing. That just makes it complicated in this case.

5 MR. GUY: I agree. I think with the holiday, it
6 makes sense to move it a little forward. And November
7 the 16th works for us.

8 CHMN. CHENAL: I am looking at the 16th, if that
9 date works. If you say the 17th is much better for
10 you... I would do it the 16th with the intent that,
11 were anything to arise like a notice of, or request to
12 intervene or something like that, that we would be able
13 to deal with that, you know, with a quick hearing.

14 Does anyone have any heartburn over that
15 suggestion? Mr. Hains.

16 MR. HAINS: No comments. I am good.

17 CHMN. CHENAL: All right. Let's do that. Let's
18 set it for the 16th of November will be the prehearing
19 conference. We could set that in the afternoon if that
20 makes it easier for you flying in --

21 MR. GUY: Yeah.

22 CHMN. CHENAL: -- if you are going to come in
23 the morning.

24 MR. GUY: That's a good idea. Thank you.

25 CHMN. CHENAL: Okay. All right. Next on my

1 little checklist is whether there are any, whether there
2 is any related litigation involving Southline. Let's
3 take them one at a time, or disputes. Let's talk about
4 litigation. Is there any outstanding litigation that
5 may impact this hearing?

6 MR. GUY: I am not aware of any, no.

7 CHMN. CHENAL: Any disputes with parties or
8 interested parties that you are aware of?

9 MR. GUY: No, sir.

10 CHMN. CHENAL: Okay. Have you been told whether
11 there will be any parties that will intervene?

12 MR. GUY: I think other than what -- we had not
13 prior to today. I think we have heard potentially some
14 interventions today. But no, we are not aware of any.

15 CHMN. CHENAL: Okay. All right. Have you had
16 an opportunity, Mr. Guy, to look at the procedural order
17 that was entered in the last couple, the SunZia case and
18 the White Wing case?

19 MR. GUY: I have.

20 CHMN. CHENAL: Okay. So we will enter a
21 procedural order shortly after the filing of the
22 application.

23 MR. GUY: And we have reviewed both of those
24 recent procedural orders. And, in fact, everything
25 that's laid out is fine with us. We had started the

1 preparation of one, but because we had so many blanks in
2 it for the other dates, we decided to wait for another
3 day.

4 CHMN. CHENAL: That's fine. I will prepare
5 that.

6 I did want to comment on the caption. I have
7 seen a little more detail in some other captions.
8 That's not a criticism. I just -- there is a little
9 more meat to some of the other ones in terms of what
10 substations, the beginning of the line, the terminus of
11 the line. Maybe you want to look at that and see if you
12 want a little more information in there.

13 MR. GUY: Okay. We will do that.

14 CHMN. CHENAL: I doubt it will be rejected by
15 the Corporation Commission, but I have just seen a
16 little more detail in other ones. You might just want
17 to consider it. I just point that out.

18 You are familiar, then, that you will be
19 preparing some of the draft conditions for a CEC with
20 reference to previous cases?

21 MR. GUY: Yes. We read that.

22 CHMN. CHENAL: We have discussed the locations
23 of the hearing. Your draft notice did discuss a
24 hearing -- public comment sessions the first, the first
25 evening in Tucson, the first evening in Willcox. I

1 think that's good. We will have public comment, you
2 know, to help people's schedules at the beginning,
3 during, even after hearings if it is not formally set on
4 those evenings. But I think it would be good to have
5 those in the notice.

6 The permit status, where are you with the
7 permit, any permits outstanding that you need for it?

8 MR. GUY: With respect to sort of the major
9 authorizations, we are fairly far along. As I mentioned
10 earlier, we have been through the NEPA process and we
11 have received the approval from both the Western Area
12 Administration and BLM with respect to the RODs. And so
13 on the federal part of it, we have those authorizations.
14 We are ready to move forward.

15 The two largest pieces remaining are the CEC
16 approval and then a similar process in New Mexico. That
17 case has not yet been filed but we expect it will be
18 soon. And as far as we know, I mean, you know, other
19 than some of the minor right-of-way and land
20 department -- well, "minor," they are significant, but,
21 you know, less burdensome process, we have those
22 outstanding as well.

23 CHMN. CHENAL: Okay. I have heard anecdotally
24 that there were some changes to the location of the
25 line. I am thinking specifically of the vineyards in

1 the Willcox area.

2 MR. GUY: Right.

3 CHMN. CHENAL: So I know -- so how -- will WAPA
4 have to engage in eminent domain for those new locations
5 because it is -- well, it is a new line. So how will
6 those lands, the rights-of-way, be acquired is really my
7 question.

8 MR. GUY: And I might lateral to Mr. Patterson
9 for that. But I mean on the new build -- well, let
10 me --

11 Doug, do you want to comment on that to the
12 extent you guys have started that process?

13 MR. PATTERSON: Sure. So the proposal is that
14 Southline and WAPA would both work to accumulate the
15 necessary land rights.

16 CHMN. CHENAL: Let me -- excuse me.

17 Someone is on the phone and we are hearing a lot
18 of shuffling of documents. Can you put the phones on
19 mute, please. Thank you. It just went away. Thank you
20 very much.

21 Go ahead, Mr. Patterson.

22 MR. PATTERSON: Sure. So we would work towards
23 getting all the acquired land rights. Particularly on
24 the upgrade section, WAPA would have, you know, full
25 responsibility. And on the new build section, WAPA

1 would really take the lead and we would work with them
2 to acquire the necessary land rights on private lands.

3 CHMN. CHENAL: You would work to negotiate with
4 landowners, but at the end of the day, if it had to come
5 to pass, WAPA would have eminent domain powers, is that
6 correct?

7 MR. PATTERSON: That's correct, if they decided.

8 CHMN. CHENAL: I know that's not the first
9 choice.

10 MR. PATTERSON: Right.

11 CHMN. CHENAL: Will the upgrade line remain in
12 the same 100-foot corridor that presently exists or will
13 there be changes to that line as well?

14 MR. GUY: I think, and Mr. Patterson may know
15 the percentages, but they will actually be expanding
16 that right-of-way to 200 feet.

17 MR. PATTERSON: Actually, to 150 feet where
18 practicable. So WAPA currently has a 100-foot
19 right-of-way on the upgrade section. And for
20 operations, maintenance, safety reasons, it is
21 preferable to expand that right-of-way to 150 feet where
22 possible.

23 There are some areas that were identified in the
24 EIS as where it may not be practicable to expand that
25 right-of-way. And in those areas it can be replaced in

1 the existing corridor. And those would include some of
2 the areas where there is some more residential
3 development that's built up around it and would
4 constrain or create, you know, a large burden to expand
5 that right-of-way. And those areas were identified in
6 the EIS.

7 CHMN. CHENAL: I am assuming there is no
8 permitting that's required at county or city or town
9 level that you are aware of?

10 MR. GUY: I am not aware of any. And to the
11 extent there are some on our list, they haven't sort of
12 risen to being any sort of issue for us.

13 CHMN. CHENAL: We are almost finished here,
14 before I open it up to see if there are any issues
15 anyone else wants to talk about.

16 Wi-fi hot spot, very important. We want to make
17 sure that there is robust wi-fi capability at each of
18 the hearing locations so that we have, you know, access,
19 internet access to the docket if we need it.

20 MR. GUY: Right. I don't know that we have
21 confirmed that, but we will, we will do so. And if
22 there is not currently wi-fi available there, we will
23 make it happen.

24 CHMN. CHENAL: Well, the SunZia had the same
25 issue, especially in the Willcox area. I am sure they

1 will be able to give you some information in that
2 regard.

3 We all get the application, but it would be
4 helpful to have it on a flash drive as well.

5 MR. GUY: Absolutely, be happy to do that.

6 CHMN. CHENAL: All right. Those are the primary
7 issues or matters I wanted to discuss. So I wanted to
8 know, Mr. Guy, if your team has any questions or matters
9 we should discuss.

10 MR. GUY: I don't think we do. I think we have
11 covered everything that we were prepared to talk about
12 today.

13 CHMN. CHENAL: Okay. Very good. Anybody else
14 in the room have any matters to bring up that you think
15 we should discuss? Anyone on the phone?

16 (No response.)

17 CHMN. CHENAL: What is the anticipated filing
18 date? I had heard October 14th. I just wanted to -- I
19 should ask that question.

20 MR. GUY: We are. That is the expected filing
21 date, October 14th.

22 CHMN. CHENAL: Okay.

23 MR. GUY: Still planning to do that.

24 CHMN. CHENAL: Okay. Well, those dates work
25 that we talked about as long as it is filed around

1 October 14th. But, you know, the statute requires that
2 it be, the hearing start within 30 to 60 days after, I
3 guess, notice is given, but, you know, we generally look
4 at when the application is filed or shortly after that.

5 So I don't have anything further. Anything else
6 we need to talk about?

7 (No response.)

8 CHMN. CHENAL: All right. Well, I want to thank
9 you. I look forward to working on this case. I know
10 the Committee looks forward to working on the case. And
11 if there is anything that comes up between now and when
12 you file that we need to talk about, just let me know.

13 MR. GUY: I will.

14 CHMN. CHENAL: Happy to accommodate you.

15 And thanks, everybody, for showing up and
16 showing up by phone. We will see you in November.

17 (The proceeding concluded at 2:35 p.m.)

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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 October, 2016.

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18

19 _____
20 COLETTE E. ROSS
21 Certified Reporter
22 Certificate No. 50658

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

26
27
28
29

30 _____
31 COASH & COASH, INC.
32 Registered Reporting Firm
33 Arizona RRF No. R1036