

1 BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LS-238

2 LINE SITING COMMITTEE

3

4 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO.  
 WEST CAMP WIND FARM, LLC, IN ) L-21204A-22-  
 5 CONFORMANCE WITH THE REQUIREMENTS ) 0228-00206  
 OF ARIZONA REVISED STATUTES, SECTIONS)  
 6 40-360, et seq., FOR CERTIFICATES OF )  
 ENVIRONMENTAL COMPATIBILITY )  
 7 AUTHORIZING THE WEST CAMP WIND ) CASE NO. 206  
 GEN-TIE PROJECT, A 345 KV OR 500 KV )  
 8 TRANSMISSION LINE AND ASSOCIATED )  
 INTERCONNECTION FACILITIES WITHIN )  
 9 NAVAJO COUNTY, ARIZONA, ) PREFILING  
 ) CONFERENCE

---

10

11 At: Phoenix, Arizona

12 Date: August 17, 2022

13 Filed: September 2, 2022

14

15

16 REPORTER'S TRANSCRIPT OF PROCEEDINGS

17 (Pages 1 through 20)

18

19

20

21

22 GLENNIE REPORTING SERVICES, LLC  
 Court Reporting, Video & Videoconferencing  
 23 1555 East Orangewood Avenue, Phoenix, AZ 85006  
 602.266.6535 admin@glennie-reporting.com

24

25 By: Robin L. B. Osterode, CSR, RPR  
 Arizona CR No. 50695

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	Map of sign locations	7

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, commencing at 2:00 p.m. on the 17th day of  
5 August 2022, with all participants appearing via  
6 videoconference.

7  
8 BEFORE: PAUL A. KATZ, Chairman

9 APPEARANCES:

10 For the Applicant:

11 ACKEN LAW  
12 Mr. Albert Acken  
13 111 East Dunlap Avenue, Suite 1-172  
14 Phoenix, Arizona 85020

15 For Potential Intervenor Arizona Public Service Company

16 PINNACLE WEST CAPITAL CORPORATION  
17 Ms. Linda J. Benally, Senior Attorney  
18 400 North 5th Street, MS 8695  
19 Phoenix, Arizona 85004

20 Also present:

21 Mr. Robert Gardner, Project Manager, AES  
22 Mr. Terrance Unrein, Senior Manager,  
23 Wind Development, AES  
24 Mr. Jason Spitzkoff, Manager Engineering  
25 Transmission & Distribution, APS  
26 Ms. Anna Chaulk, Federal/State Senior  
27 Regulatory Analyst, APS  
28 Ms. Aileen De Los Angeles, Paralegal, Pinnacle  
29 West Corporation  
30 Mr. Tod Brewer, Assistant to Chairman Katz  
31 Ms. Lisa Glennie, Glennie Reporting Services, LLC  
32 Ms. Marta Hetzer, Glennie Reporting Services, LLC

1 CHMN. KATZ: This is the time set for the AES  
2 slash or dash CE West Camp Wind Project. And we don't  
3 have a CEC number yet. I'm not sure what number, Tod, it  
4 will likely be. Was it likely -- do you know?

5 MR. BREWER: I believe, Mr. Chairman, it will  
6 come out as CEC 206.

7 CHMN. KATZ: That's what I thought.

8 Okay. And we have Bert Acken is present as the  
9 primary counsel. And, Ms. Benally, on whose behalf are  
10 you appearing? I should know this.

11 MS. BENALLY: Arizona Public Service Company.

12 CHMN. KATZ: Thank you very much.

13 And as we go, if you need any of the other  
14 participants, the client representatives, to be  
15 introduced, we can do that as we move forward.

16 But, Mr. Acken, thus far, are there any possible  
17 intervenors that you're aware of in this matter?

18 MR. ACKEN: APS is planning to intervene.

19 CHMN. KATZ: I'm assuming they're a friendly  
20 intervenor, however.

21 MR. ACKEN: We believe and hope and anticipate  
22 that they will be, yes.

23 CHMN. KATZ: Okay. And has -- I know it's early  
24 in the process, but has there been much, if any, public  
25 interest expressed by members of the public or any

1 governmental entities?

2 MR. ACKEN: So the wind farm itself -- remember,  
3 this is a gen-tie associated with a wind farm project, so  
4 the wind farm is going through the Navajo County  
5 entitlement process. And so, you know, there's been some  
6 public concern raised about the wind turbines themselves.  
7 And that process is ongoing. And we'll talk -- we'll be  
8 prepared to talk about it at the hearing, as far as the  
9 outreach that's being done, in support of the wind -- in  
10 support of the County process, including a hearing  
11 tomorrow at Planning and Zoning.

12 As far as the transmission line and the switch  
13 yards and substations, you know, no. And we haven't  
14 received any indication that anyone's planning to  
15 intervene.

16 CHMN. KATZ: Are there any other -- are there  
17 any government entities outside of Navajo County that  
18 need to be notified or have been notified?

19 MR. ACKEN: My perspective is no, Mr. Chairman.  
20 This project is in an area that has, you know, that  
21 checkerboard state land. The wind farm project  
22 includes -- boundary includes State land, but all of the  
23 facilities that are jurisdictional under the Commission's  
24 rules will be on private land. So it's my position that  
25 State land is not an affected jurisdiction.

1 I did want to raise that with you in case you  
2 felt differently. But all of the project components  
3 that -- for which we're seeking certificate are on  
4 private land in Navajo County.

5 CHMN. KATZ: And, again, my experience in  
6 representing the Land Department, is their only interest  
7 would be in granting either a right-of-way or a lease to  
8 allow the wind farm to be built and operated. They  
9 wouldn't be necessary in approving the gen-tie lines  
10 themselves. But, anyway, it doesn't hurt to give them  
11 some notice, but I don't think you're going to get any  
12 participation or kickback from them.

13 And in terms of -- we will ultimately want the  
14 applicant to draft the notice of hearing and request a  
15 copy to be mailed to us. We'll have to ultimately  
16 approve it in its final form. And when we get it, either  
17 as you present it or as we might edit it, we will -- I  
18 will sign off on it and get it back to you for  
19 publication and posting on the website.

20 And I'm assuming that you have or will be making  
21 arrangements at the appropriate time for publication in a  
22 newspaper or newspapers of general circulation?

23 MR. ACKEN: That's correct. And we have a draft  
24 notice of hearing. I sent it to Tod.

25 Linda, I need to send it to you, just so you

1 have it. It will be, you know, it's the template notice  
2 of hearing that everyone here is familiar with.

3 As far as publication, we tried to see about  
4 local, regional, county papers that they could get  
5 publication done for us in the time frame necessary;  
6 that's a challenge, so -- given their more limited  
7 distribution and publication schedule. So at this time,  
8 we're planning on using the Arizona Republic for our  
9 official two days within the publications within 10 days.  
10 And using a local paper, the Holbrook Tribune, as a  
11 supplemental notice to capture more of the local. But  
12 that's our publication plan.

13 CHMN. KATZ: That's fine. And I did receive  
14 today from Tod what he received from you, a map that we  
15 could call Exhibit 1 to the prefiling conference, which  
16 is a map of the general area. And I think it also  
17 depicts -- and that's the map we're talking about -- I  
18 think it depicts the potential or the expected sign  
19 locations.

20 MR. ACKEN: It is. And I have shared the map  
21 previously with Linda, and I apologize, Linda, I just was  
22 not thinking, I didn't send you that map ahead of this,  
23 the one that shows the sign locations, but I will send  
24 that to you, and I could talk through those.

25 CHMN. KATZ: You know, I'm not sure how

1 important it is, as long as we get the signs displayed in  
2 prominent places that are easily accessible to the  
3 general public.

4 MR. ACKEN: Oh, thank you. Thank you for  
5 pulling that up, Tod. I'm assuming that was you. Thank  
6 you.

7 So this shows you an overview of the project  
8 itself, the -- there's a few different things going on.  
9 You have that larger outer band -- I believe that's in  
10 black -- that's the wind farm project boundary. Within  
11 there you see a yellow-bounded area. We are seeking,  
12 Mr. Chairman, the authority to place up to two  
13 substations and transmission lines anywhere in that  
14 yellow area on private lands to interconnect with both in  
15 the alternative an on-site switching station, which is  
16 shown approximately where that second green star is  
17 that's on the western boundary -- thank you -- as well  
18 as, then, the gen-tie for the 500 line that goes up north  
19 of the wind farm project site, and then connects with the  
20 existing corridor for two existing 345kV lines, heading  
21 northeast towards the Cholla substation, so --

22 CHMN. KATZ: That's all rural or undeveloped  
23 land?

24 MR. ACKEN: It is. And it's all one landowner,  
25 Aztec Land and Cattle, who was also the landowner for



1 Chevelon. The only other private landowner we have is  
2 APS. When we actually enter APS's -- when we get close  
3 to the Cholla substation. So I guess I should have said  
4 two landowners. The primary one and then the APS  
5 facilities.

6 CHMN. KATZ: Okay.

7 MR. ACKEN: I did want to highlight for you, I  
8 just, you know, there are a couple things that are unique  
9 that we're seeking. One is that authority to site up to  
10 two substations, project substations, anywhere in that  
11 yellow boundary, along with transmission lines anywhere  
12 in there. And then we are going to be seeking authority  
13 both for the 500 interconnection at Cholla and the 345  
14 interconnection, which would be at a new switch yard  
15 within the project site that would connect with APS's  
16 345 line.

17 CHMN. KATZ: Okay. Where do you anticipate that  
18 this hearing will be likely held?

19 MR. ACKEN: We are still looking for the  
20 location in Holbrook, ideally. Our strong preference is  
21 to do this in Holbrook. It's the County seat. It's the  
22 closest city that has potential venues. We have not been  
23 able to lock anything down yet. So that is our first  
24 choice. But as you saw on the notice of hearing, we  
25 don't have a location locked down. We certainly will by

1 the time, in the next week or so, and we'll make sure  
2 everyone's aware.

3 Again, we're trying to find a location in Navajo  
4 that is large enough for the committee. If we can't, I  
5 think our second choice at this time is Show Low, because  
6 it's also in Navajo County, but again, it's our  
7 preference to do it in the County seat in Holbrook, if we  
8 can.

9 CHMN. KATZ: Okay.

10 MR. ACKEN: And I'm told I misspoke about the  
11 same landowner as Chevelon. That was a different project  
12 than I had with Aztec, so -- but there's still just one  
13 singular landowner for this project.

14 CHMN. KATZ: Okay. And, Tod, what time frame  
15 are we likely -- I don't have all my work materials here  
16 at home, I thought I'd be back in the office by today --  
17 but what time frame or dates are we likely looking at for  
18 a hearing?

19 MR. BREWER: Give me just one moment,  
20 Mr. Chairman.

21 CHMN. KATZ: Okay.

22 MR. BREWER: I believe we have this scheduled  
23 for October 11th through October 14th.

24 CHMN. KATZ: Okay. And I'm assuming this will  
25 be one of those hearings that will be somewhere between a

1 day and a half and three days?

2 MR. ACKEN: That's our expectation. In the  
3 notice of hearing that I provided, I took the liberty of  
4 proposing that it only goes to the 13th, because again, I  
5 cannot see this one going to the 14th, absent an  
6 intervention that's not there. You know, we're not  
7 proposing a tour, you know, obviously, the committee will  
8 make that call, but even if they were to do a tour, this  
9 isn't a four-day hearing.

10 CHMN. KATZ: Okay. And I won't -- I -- I will  
11 presume the next to be true, that there -- once a  
12 location is found, lodging will be available for  
13 out-of-town committee members, as well as necessary  
14 staff. So I don't need you to confirm that. I'm just  
15 assuming that that's true, unless you tell me otherwise.

16 And do you think that it makes any sense -- are  
17 there any sensitive commercial, industrial, or  
18 residential areas that would make sense to do a tour of  
19 this project?

20 MR. ACKEN: A tour's going to be really  
21 challenging, just given the rural nature of it. And the  
22 wind farm site is large. And so -- so the gen-tie can be  
23 up to 25 miles, just to give you a sense of scale, very  
24 rural, you know, ranch roads. There is some dispersed  
25 residential near the proposed switching station, so just

1 so you're aware. It's not easy to get to, but there  
2 is -- that would be the only nearby land use of concern  
3 that I could see. Otherwise, it's ranchland. And then  
4 it goes into the Cholla substation and all of the  
5 infrastructure associated with Cholla.

6 CHMN. KATZ: Right. And I can't be so arrogant  
7 as to speak for the entire committee, but it would appear  
8 to me that more likely than not they will not be  
9 insisting on a tour. If the committee acts in a way that  
10 they feel it's really critical or if there's a lot of  
11 public opposition should arise, which I doubt, we would  
12 probably want to do that tour at 9:00 a.m. on the second  
13 day of the hearing, 9:00 or 10:00 in the morning on that  
14 day. But I'm hoping that we can go straight through the  
15 hearing and we will have a good virtual tour.

16 MR. ACKEN: We will. And we'll be prepared for  
17 the tour in case that's the committee's direction.

18 CHMN. KATZ: Okay.

19 MS. BENALLY: Mr. Chairman?

20 CHMN. KATZ: Yes.

21 MS. BENALLY: APS is planning on intervening in  
22 this case, because there are the interconnection points  
23 that Mr. Acken mentioned at either the 345kV  
24 interconnection point or at the 500kV interconnection  
25 point. And if it's okay with you, I would like to ask

1 Mr. Acken a question just for clarification.

2 CHMN. KATZ: You don't need my permission, go  
3 right ahead.

4 MS. BENALLY: Mr. Acken, those interconnection  
5 points that you noted, am I understanding correctly that  
6 it will be one of those locations, although you are  
7 advancing both in the application?

8 MR. ACKEN: That's correct. We are seeking  
9 approval for both, so that a decision can be made at a  
10 later time, based on project development and economics.

11 MS. BENALLY: So to, I guess, restate, it will  
12 either connect at the 345 or the 500kV, and one of those  
13 interconnection points will fall off the list, if you  
14 will, or will be null once a determination is made?

15 MR. ACKEN: Correct.

16 MS. BENALLY: The other item, Mr. Acken, that  
17 perhaps you plan on mentioning at a future date, but I  
18 believe this is going to be a project that will have two  
19 certificates?

20 MR. ACKEN: Yes, Mr. Chairman, this is -- and  
21 that's why, you know, one of the reasons APS is here,  
22 it's going to be similar to the ones that you have seen  
23 that I've done with APS and others. So we will be  
24 seeking separate certificate for the -- that we can  
25 assign to APS for the -- what will be the APS-owned

1 facilities at the two interconnection locations.

2 CHMN. KATZ: Okay.

3 When it comes time for the application, I know  
4 that most of the committee members don't require a hard  
5 copy. Tod and I require a single hard copy, unless Tod  
6 thinks he needs two. But we like to keep a hard copy,  
7 even though at the hearing itself I probably will rely on  
8 what you project on the screen or on what is available on  
9 a laptop or a tablet of some type, an iPad. And I'm  
10 assuming that the exhibits in the application will be  
11 available on either an iPad or a tablet or something like  
12 that?

13 MR. ACKEN: It will. We will use one of the  
14 vendors the committee's familiar with.

15 CHMN. KATZ: And we can draft the procedural  
16 order once we approve or at the same time we're approving  
17 the notice of hearing, or shortly thereafter. You'll  
18 prepare for us a draft of the CECs, and we'll handle it  
19 in the way that we usually do. We work through the  
20 hearing, we will edit, and I will rely heavily on Tod, as  
21 always, but Tod and I will edit that CEC, based upon what  
22 occurs at the hearing. There may be very little changes,  
23 except stylistic or grammatical. And then we'll post one  
24 in PDF format -- just because I like to keep that as an  
25 exhibit -- so we know what we started with. And then

1 we'll work off of a second exhibit, which will be in  
2 Word, and we'll edit it as we go and get it in a format  
3 that the applicant and the intervenor hopefully will  
4 approve of and that the committee will approve of.

5 I'm assuming that we'll start at 1:00 p.m. and  
6 that at 5:30 we'll have public comment. And if any  
7 governmental officials wish to speak, they'd be given  
8 priority ahead of the general public.

9 MR. ACKEN: And just a reminder that this  
10 hearing is starting on Tuesday, given that holiday, so --

11 CHMN. KATZ: Okay. Okay. You know, I keep --  
12 and our next one together is starting the day after a  
13 holiday as well.

14 MR. ACKEN: We love our holidays weeks,  
15 apparently.

16 CHMN. KATZ: And I won't trouble you with that.  
17 I was supposed to have a minimally invasive back surgery  
18 on the 30th. I don't know if it's going to get  
19 scheduled. And if it does, when I -- when a doctor  
20 scheduled it about six weeks ago, he said I'd be able to  
21 go back to work in a couple of days. But if push comes  
22 to shove, we'll be doing your next hearing rather than my  
23 surgery, and I'll maybe have to clear out a month in  
24 September, October, or November for that. But it's  
25 nothing critical. It's just when I stand up or walk far

1 my back hurts. Enough about my medical problems.

2 I'm assuming, though, that all required permits  
3 have either been applied for or will be applied for, and  
4 that there are no federal permits or NEPA studies that  
5 are necessary, because it's not on federal lands and  
6 federal monies are not being used?

7 MR. ACKEN: That's correct. And the only other  
8 primary authorization is that -- is the County  
9 entitlement process, which is ongoing. And, again,  
10 that's with the wind farm itself.

11 CHMN. KATZ: Okay. And the next goes without  
12 saying. I know that there will be a WiFi hotspot laptop,  
13 access to docket control, and provide application and  
14 exhibits either on a laptop, or a -- excuse me, on a  
15 tablet or on a flash drive. You've already indicated  
16 that, in accord with your usual protocol, we'll have  
17 iPads or tablets or some other digital media available.

18 Are there any other issues that we need to be  
19 concerned with, from either your perspective, Mr. Acken,  
20 or from Ms. Benally's perspective?

21 MR. ACKEN: Well, let me look at my list. I'll  
22 ask Rob, Rob Gardner is the project manager, if I missed  
23 or misstated anything from his perspective, Rob, please  
24 chime in.

25 MR. GARDNER: No, I think you covered



1 everything, Bert.

2 CHMN. KATZ: One other --

3 MR. GARDNER: Nothing from my side.

4 CHMN. KATZ: Thanks, Rob.

5 MR. GARDNER: I'm sorry.

6 CHMN. KATZ: There's one other thing that I need  
7 to do, and that is, when will we likely have our -- do we  
8 want to set a prehearing conference date now?

9 MR. BREWER: Mr. Chairman, we have that  
10 scheduled already.

11 CHMN. KATZ: Okay. And when -- let me see, when  
12 do we have that scheduled?

13 MR. BREWER: October the 4th at 2:00.

14 CHMN. KATZ: Okay. October 4 at 2:00,  
15 prehearing.

16 Okay. And I need to make sure that when our  
17 hearing is over and done with that our court reporting  
18 company gets -- we'd like final transcripts of the  
19 conference and the hearing posted to the applicant's  
20 website. So we'll all be getting a copy or at least the  
21 applicant and Tod and I will be getting a copy of this  
22 transcript and the prehearing transcript. We need to get  
23 those transcripts posted on the applicant's website.

24 And it didn't appear that you or your client  
25 representative or project manager, Mr. Acken, had any

1 concerns.

2 Ms. Benally, do you or any of your APS folks  
3 have anything that needs to be discussed or added?

4 MS. BENALLY: APS does not have anything to  
5 comment or ask about at the present time. Thank you.

6 CHMN. KATZ: Okay. Well, I think we're all set,  
7 then. I look forward, as always, to working with you  
8 folks. You're always pleasant and a pleasure to work  
9 with. And I will see Mr. Acken on the 6th of next month.

10 Yes, Mr. Acken?

11 MR. ACKEN: Just wanted to update this group as  
12 to our filing date. I think there was one time, in  
13 actually submitting the application, that we were  
14 targeting for August 26th; that's going to be the -- the  
15 29th. I like to do it on a Monday. Again, for  
16 publication, I don't like to lose the three days of the  
17 weekend, so we are looking to file that on the 29th.

18 CHMN. KATZ: Okay.

19 Tod, anything else that this senile old man has  
20 forgotten to cover?

21 MR. BREWER: No, Mr. Chairman. Thank you.

22 CHMN. KATZ: Thank you all for your courtesy,  
23 and we'll see you in October, if not sooner than that.  
24 And I know, Mr. Acken, just a couple weeks away, so -- on  
25 something that should be a lot less complicated than some

1 folks want it to be. We'll see how things play out. But  
2 I won't ex-parte anybody at this point in time.

3 We'll all see you later, take care.

4 MR. ACKEN: Thank you.

5 MS. BENALLY: Thank you.

6 (Proceedings concluded at 2:34 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

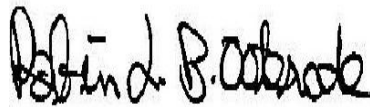
25

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 reduced  
 8 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 ethical  
 13 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206  
 14 (J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this  
 15 1st day of September, 2022.

16 

17 \_\_\_\_\_  
 18 ROBIN L. B. OSTERODE, RPR  
 19 CA CSR No. 7750  
 20 AZ CR No. 50695

21 \* \* \* \* \*

22 I CERTIFY that Glennie Reporting Services, LLC,  
 23 has complied with the ethical obligations set forth in  
 24 ACJA 7-206(J)(1)(g)(1) through (6).

25 

\_\_\_\_\_  
 GLENNIE REPORTING SERVICES, LLC  
 Registered Reporting Firm  
 Arizona RRF No. R1035