

1                   BEFORE THE ARIZONA POWER PLANT AND  
2                   TRANSMISSION LINE SITING COMMITTEE  
3 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO.  
4 RE PAPAGO LLC, IN CONFORMANCE WITH ) L-21151A-21-0110-  
5 THE REQUIREMENT OF ARIZONA REVISED ) 00189  
6 STATUTES 40-360, et seq., FOR A )  
7 CERTIFICATE OF ENVIRONMENTAL ) Case No. 189  
8 COMPATIBILITY AUTHORIZING )  
9 CONSTRUCTION OF THE RE PAPAGO SOLAR )  
10 GEN-TIE PROJECT, WHICH CONSISTS OF A )  
11 34.5/500KV GEN-TIE TRANSMISSION LINE )  
12 INTERCONNECTING A PHOTOVOLTAIC SOLAR )  
13 GENERATING FACILITY TO THE ADJACENT )  
14 DELANEY SUBSTATION IN MARICOPA )  
15 COUNTY NEAR SALOME HIGHWAY AND )  
16 COURTHOUSE ROAD, APPROXIMATELY 5.5 )  
17 MILES WEST OF TONOPAH, ARIZONA )  
18 \_\_\_\_\_ )

12 At:           Avondale, Arizona  
13 Date:        June 22, 2021  
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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 Hilton Garden Inn, 11460 West Hilton  
5 Way, Avondale, Arizona, commencing at 9:43 a.m. on the  
6 22nd day of June, 2021.

7

8 BEFORE: THOMAS K. CHENAL, Chairman

9 ZACHARY BRANUM, Arizona Corporation Commission (via  
videoconference)  
10 LEONARD DRAGO, Department of Environmental Quality  
JOHN RIGGINS, Arizona Department of Water Resources  
11 JAMES PALMER, Agriculture Interests  
MARY HAMWAY, Incorporated Cities and Towns  
12 RICK GRINNELL, Counties (via videoconference)  
KARL GENTLES, General Public (via videoconference)  
13 JACK HAENICHEN, General Public  
PATRICIA NOLAND, General Public  
14

15 APPEARANCES:

16 For the Applicant:

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20

21 For Intervenor Ellwood Land Holdings, LLC:

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

25

1 CHMN. CHENAL: Good morning, everybody. This  
2 is the time set for the resumption of the hearing.

3 And let's -- at Carolyn's request, let's make  
4 sure we know which Members of the Committee are appearing  
5 via Zoom. I see Member -- why don't we have the Members  
6 announce. I don't want to guess because the pictures are  
7 coming in and out.

8 MEMBER GENTLES: This is Member Karl Gentles.

9 MEMBER BRANUM: This is Member Zachary Branum.  
10 Thank you. Good morning.

11 MEMBER GRINNELL: Member Rick Grinnell.

12 CHMN. CHENAL: All right. Thank you very much.  
13 Okay. So when we left off last night, Mr. Warner was  
14 still testifying.

15 Before we resume with him, are there any  
16 procedural matters we need to discuss before we proceed?

17 MR. MOYES: Mr. Chairman, if you would like to  
18 address the issue with the intervening party, Ellwood, up  
19 front now, we can deal with that or we can finish with  
20 Mr. Warner.

21 CHMN. CHENAL: I think what you're going to say  
22 is that the intervenor and the applicant have reached an  
23 understanding or an agreement and some language for a  
24 condition. And we can get into that when we're finished  
25 with Mr. Warner.

1 MR. MOYES: Okay.

2 CHMN. CHENAL: But that's good news. It's  
3 always good news.

4 MR. MOYES: All right. We'll circle back to  
5 that. Other than that, I don't have any other procedural  
6 issues that we need to discuss.

7 CHMN. CHENAL: So we agree to resume with  
8 Mr. Warner?

9 MR. MOYES: Yes. Thank you.  
10

11 SCOTT WARNER,  
12 called as a witness on behalf of Applicant, having been  
13 previously duly sworn by the Chairman to speak the truth  
14 and nothing but the truth, was examined and testified as  
15 follows:

16

17 DIRECT EXAMINATION (Cont.)

18 BY MR. MOYES:

19 Q. Mr. Warner, at the end of our discussions  
20 yesterday when you were testifying, a question was raised  
21 by the Committee about the --

22 CHMN. CHENAL: Mr. Moyes, can you bring your  
23 microphone closer.

24 MEMBER NOLAND: Speak up.

25 Q. BY MR. MOYES: Mr. Warner, at the end of

1 yesterday's hearing when we were finishing your  
2 testimony, there were some questions from the Committee  
3 regarding the two options, the two potential footprints  
4 for the Papago substation and the corridor size or width  
5 that we would need for that. If you recall, this was in  
6 response to the Noland-Palmer solution that was presented  
7 to ask for a corridor sufficient to grant the applicant  
8 the flexibility to accommodate either one of those two  
9 footprints.

10 I believe that you've, overnight, been able to  
11 prepare an exhibit that we'd like to pull up in front of  
12 the Committee which has been marked for the court  
13 reporter as Exhibit RE-27.

14 Mr. Warner, can you please explain to the  
15 Committee what this exhibit shows.

16 A. This is intended to be an exhibit for the CEC  
17 if everyone finds it acceptable.

18 What you'll see depicted here with this dashed  
19 line, the symbology of that represents the corridor width  
20 associated with the transmission line, both for the  
21 straight-on configuration and also for that turning  
22 structure that gets you up to that other parcel.

23 The hashmarks represent the substation sites  
24 for that roughly 20 acres or 23 acres or whatever it is,  
25 26 acres, so that you can see the configuration of the



1 substation sites depicted by the hash line. So you have  
2 both substation configurations depicted in that one  
3 polygon that shows the hashmark. And then separately,  
4 you see the corridor depicted by that shape that kind of  
5 turns.

6 Q. And, Mr. Warner, is it correct that that  
7 corridor described that's shown in the dark, blacker line  
8 is wide enough to accommodate either of the actual  
9 gen-tie line construction routes into Delaney --

10 A. Yes.

11 Q. -- on which the substation footprint is  
12 constructed?

13 A. Yes.

14 MEMBER NOLAND: Mr. Chairman.

15 CHMN. CHENAL: Member Noland.

16 MEMBER NOLAND: I'm sorry. I can't see this on  
17 either the screen or on my tablet.

18 CHMN. CHENAL: We'll blow it up.

19 MEMBER NOLAND: How wide is the corridor now?

20 MR. WARNER: 500 feet.

21 MEMBER NOLAND: So that is 500 feet between  
22 those dotted lines?

23 MR. WARNER: This is 5- -- this depicts a width  
24 of 500 feet as it turns.

25 MEMBER NOLAND: So you're telling me that this

1 piece is 13 acres, but that's only 500 feet?

2 MR. WARNER: That's correct.

3 MEMBER NOLAND: I was wondering about the  
4 previous exhibit that you had where the -- there was the  
5 upper substation potential location, and then you had the  
6 line down below that. How many feet were between that  
7 line and the upper substation? Do you understand what  
8 I'm saying?

9 MR. WARNER: I'm noodling through it.

10 MEMBER NOLAND: Well, can you bring up the  
11 previous exhibit with the two alternatives?

12 MR. WARNER: Jason, let's put that up on the  
13 right-hand side -- or on the left-hand side so that  
14 Member Noland can see it more clearly. And what we're  
15 interested in showing is that overhead graphic that has  
16 the two alternatives on it.

17 MEMBER NOLAND: So what you're saying, I think,  
18 here is you're saying this line is 500-foot?

19 MR. WARNER: No, no.

20 MEMBER NOLAND: The whole thing?

21 MR. WARNER: So -- yeah, the width of this. So  
22 within that, centered in the -- in that polygon, this  
23 polygon right here, is that transmission line.

24 MEMBER NOLAND: Okay.

25 MR. WARNER: So the transmission line would be

1 right about there and there would be a turning structure,  
2 and then it would go up. So it's 250 feet from the  
3 centerline of that transmission line.

4 MEMBER NOLAND: Now I understand what you're  
5 saying.

6 MR. WARNER: So what this is intended to  
7 capture is the legal description that would accompany the  
8 CEC. So this is -- you know, the area that might be  
9 confusing is the line, in theory, could be anywhere  
10 within that area once it was engineered.

11 MEMBER NOLAND: Correct. Okay. I was  
12 mistaking the dotted line for something else.

13 I don't need to see the other one, Jason. I'm  
14 sorry. I know you probably found it, but --

15 MR. MOELLER: That's okay. I can bring it up  
16 if I know what the exhibit number is.

17 MEMBER NOLAND: It's all right. I think this  
18 does what we were asking that you do.

19 Q. BY MR. MOYES: Thank you, Mr. Warner.

20 Is there anything else that you would wish to  
21 add to your testimony at this time?

22 A. No.

23 Q. Based on your professional opinion and as the  
24 environmental consultant for this project, is there  
25 anything that would lead you to believe that the

1 applicant, RE Papago LLC, does not possess the requisite  
2 capability to construct this project as described to the  
3 Committee in compliance with all applicable rules and  
4 regulations?

5 A. No.

6 Q. Thank you.

7 MR. MOYES: Mr. Warner, of course, is open now  
8 to any further questions the Committee might have for  
9 him.

10 Thank you, Mr. Chairman.

11 CHMN. CHENAL: Any questions of Mr. Warner by  
12 the Committee?

13 Is the Committee clear on the Exhibit RE-27,  
14 which is on the screen, as an attachment to a CEC -- a  
15 potential CEC, and is that corridor, you know, acceptable  
16 to the Committee, I guess? We don't have to vote on it,  
17 but if anyone has a concern about the length or the width  
18 of the corridor where the line -- actual transmission  
19 line, I mean, this would be a good time to clear that up.

20 Mr. Warner -- or Mr. Moyes, would this be the  
21 only attachment to the CEC, or would there be anything  
22 else? Would there be an additional legal description for  
23 where the substations are -- the potential site for the  
24 substation or what is your intention?

25 MR. MOYES: We're happy to provide whatever you

1 feel is necessary to adequately describe it. If you  
2 would like an initial written-out legal description or  
3 just this, of course, Mike and the Transcon team can  
4 accommodate whichever you would prefer.

5 CHMN. CHENAL: I don't know. Let me ask Member  
6 Noland what her preference might be.

7 MEMBER NOLAND: Mr. Chairman, they've described  
8 it fairly well on this attachment now that I have a copy  
9 and I can read it. I'm comfortable with the way they've  
10 described the corridor, but I don't think they described  
11 the substation site.

12 CHMN. CHENAL: That's precisely what I was -- I  
13 didn't ask it correctly, but I really wanted to ask you  
14 that question. Are you comfortable with the way the  
15 substation site is -- are we comfortable with just the  
16 map, or would we like something more than that? I guess  
17 that's the question.

18 MEMBER NOLAND: I'm not sure. I think you  
19 should ask the other Members. I'd like to see a little  
20 more specificity on the substation site, especially since  
21 we've combined them, made them a little larger.

22 MR. WARNER: Okay. I think what we did is  
23 label the substation site in the legend, so it's not  
24 depicted on the map itself. If you'd like, we can tease  
25 out which substation is -- you know, there's one and two

1 alternatives nested within that, if that's helpful.

2 CHMN. CHENAL: I think, Mr. Warner -- and I'm  
3 not clear -- I'm noodling it as well, but I'm thinking  
4 out loud, which is dangerous. But do we want a legal  
5 description for the proposed substation site as depicted  
6 on RE-27, which I understands combines the two substation  
7 sites from a previous exhibit, but the legal description  
8 for that.

9 MR. WARNER: Okay.

10 CHMN. CHENAL: How hard would it be to come up  
11 with?

12 MR. WARNER: So I don't do any of that. I turn  
13 to my team, and they do it and it magically appears. So  
14 we're going to assume it's easy, and it isn't very  
15 difficult honestly. So we'll try to pull something  
16 together in the next little while and see if we can get  
17 you something before the meeting is over.

18 CHMN. CHENAL: Let me ask the Committee, is  
19 that the preference, to have some sort of a legal  
20 description? We have a legal description for the  
21 corridor site. Do we also want a legal description for  
22 the substation sites as depicted on the map? You know,  
23 because I think that's the question.

24 MEMBER HAMWAY: For me personally, it's not  
25 that important. I mean, we're giving them the

1 flexibility to put it any -- you know, whichever  
2 direction they want. I think the corridor for the line  
3 for me personally is probably enough.

4 MEMBER GRINNELL: Mr. Chairman.

5 CHMN. CHENAL: Yes. I don't normally ask --  
6 Member Grinnell.

7 MEMBER GRINNELL: Mr. Chairman. Mr. Chairman.

8 CHMN. CHENAL: Yes.

9 MEMBER GRINNELL: I'm sorry. Am I --

10 CHMN. CHENAL: Go ahead, Member Grinnell.

11 MEMBER GRINNELL: Okay. I guess the only  
12 reason I might want to include anything of additional  
13 legal description is to avoid any ambiguity down the road  
14 so that this is very distinct and clear so the Commission  
15 members review this with their staff so everything is  
16 very cut and dry.

17 CHMN. CHENAL: Thank you. And I just was going  
18 to add kind of the same thought. This is a very  
19 congested area and will become even more congested in the  
20 future.

21 And I don't know how big that substation site  
22 is. Is it a total of 13 acres or is it more than that?

23 MR. WARNER: Yeah, it's more than that.

24 CHMN. CHENAL: One was 13 acres, and there was  
25 the other. So how many acres?

1 MR. WARNER: It's going to be close to  
2 26 acres.

3 CHMN. CHENAL: And you just don't know where  
4 that is on the map. You can eyeball it, and you think  
5 you know where it is. But to me, I don't know where that  
6 26 acres is. If I went out there, I wouldn't know  
7 exactly.

8 MR. WARNER: We're happy to accommodate you,  
9 Mr. Chairman. We are happy to put it together.

10 CHMN. CHENAL: I don't think it would be  
11 harmful to have it just because it's congested. I also  
12 feel like Member Hamway. If it was just in the middle of  
13 nowhere, I couldn't care less. But the fact that it's in  
14 a congested area, I feel like Member Grinnell. If anyone  
15 has hard feelings ...

16 Okay. I think we'll ask Mr. Warner's team to  
17 pull that together. And I don't know if that can be  
18 inserted on Exhibit RE-27 or if it would have to be  
19 another attachment.

20 MR. WARNER: It will be in the same drawing.  
21 So I think we can accommodate that pretty swiftly.

22 MR. MOYES: I believe Ms. Grabel had one quick  
23 question regarding --

24 MS. GRABEL: Thank you. One quick question,  
25 Mr. Warner. I just noticed this and I thought of this



1 yesterday. You are so close to not having to have filed  
2 for a CEC given the number of structures. Is there a  
3 reason you didn't move the substation closer to Delaney?

4 MR. WARNER: That question was on my mind too.  
5 I'm not sure I'm the right one to ask that question. So  
6 let me defer that to Marina.

7 MS. SOLOMON: I can answer that question.  
8 Should I be sworn in?

9 CHMN. CHENAL: You were sworn in yesterday.  
10 You're still under oath.

11 MS. SOLOMON: Okay. Great.

12 Yeah, we did look at that and determined that  
13 based on the number of structures that were going to be  
14 required just based on the engineering requirements that  
15 we would be triggering the need for a CEC.

16 CHMN. CHENAL: Any further questions,  
17 Ms. Grabel?

18 MS. GRABEL: No.

19 MR. MOYES: Not for Mr. Warner.

20 I did have one follow-up question that I wanted  
21 to circle back to Ms. Solomon regarding one of the  
22 statutory elements that the Committee is charged with  
23 reviewing when making a decision to grant the CEC.

24 Q. BY MR. MOYES: In the statute, Ms. Solomon, the  
25 Committee is required to ask and inquire about the

1 estimated cost of the project that you are proposing for  
2 a CEC. Do you have a rough estimate at this time in  
3 today's dollars of what the gen-tie project -- and,  
4 again, I'm not talking about the solar generation  
5 project, but just the gen-tie and substation that we've  
6 applied for here -- what the estimated cost of that might  
7 be today?

8 A. Yes. We've estimated that the cost of the  
9 gen-tie itself alone would be roughly \$440,000. And for  
10 the substation, including the property costs, would be  
11 about \$20 million. That is, of course, subject to change  
12 due to factors like inflation, equipment costs and steel  
13 prices, etc.

14 MR. MOYES: Thank you, Ms. Solomon. I don't  
15 have any further questions, Mr. Chairman, for any of our  
16 witnesses.

17 CHMN. CHENAL: All right. Does the Committee  
18 have any questions of any of the witnesses?

19 (No response.)

20 CHMN. CHENAL: Can't we ask Mr. Dawson a few  
21 questions? He's just been sitting there. He hasn't been  
22 on the hot seat at all. That's a shame.

23 Well, okay. I guess -- is that the conclusion  
24 of your case, Mr. Moyes?

25 MR. MOYES: It is with regards to the evidence

1 that we were planning to put on. However, there is still  
2 the issue of the intervention from Ellwood that we'd like  
3 to address and clarify for the Committee.

4 CHMN. CHENAL: Let me ask, Ms. -- I say Ms.

5 MS. GRABEL: Ms. is correct.

6 CHMN. CHENAL: Oh, Mrs.?

7 MS. GRABEL: I'm not Mrs. Grabel. Mrs. is  
8 somebody else. So call me Ms. Grabel.

9 CHMN. CHENAL: You are Ms. Grabel. I want to  
10 say it right, correctly.

11 So do you have any further questions of the  
12 witnesses?

13 MS. GRABEL: I do. I have two questions for  
14 Ms. Soloman, I believe, but I think Mr. Moyes wanted to  
15 put something on the record before.

16 CHMN. CHENAL: We can do that.

17 MR. MOYES: As we left the hearing yesterday, I  
18 was worried that the way the discussion evolved with  
19 regards to Ellwood and my client's discussions and the  
20 proposed condition that we originally described to the  
21 Committee yesterday morning. One, looking back at the  
22 record, may have been left with the impression based on  
23 the way my questioning went and me asking my witnesses  
24 some follow-up information and Ms. Grabel, probably being  
25 uncomfortably put in the position of almost having to

1 testify as a witness and us not having anyone to  
2 cross-examine, you may have been left with the impression  
3 that the applicant was somehow backing away or retracting  
4 the agreement that we had reached which is reflected in  
5 that condition that we had proposed which states that the  
6 two parties were going to work in good faith and use  
7 their best efforts to reach a commercially reasonable  
8 agreement for an easement that accommodates the proposed  
9 and preferred route that Ellwood would like to  
10 interconnect into Delaney.

11 Our intention as the applicant was never to  
12 back away from that agreement or to state that we were no  
13 longer in agreement with Ellwood. We are still very much  
14 in agreement with this intervenor. We've spoken offline  
15 and our clients have spoken. And with that said, we plan  
16 to propose the condition as it was original drafted  
17 yesterday morning. Ms. Grabel has a couple of follow-up  
18 questions for Ms. Solomon that will further build the  
19 record to that effect.

20 CHMN. CHENAL: Why don't we do this: Why don't  
21 we get the language up on the screen, get into evidence  
22 what the condition is you're proposing, and then ask any  
23 questions of your witnesses to what the intent is of that  
24 condition and then Ms. Grabel can cross-examine on that  
25 point.

1 MR. MOYES: I believe the condition itself was  
2 admitted yesterday as Ellwood's Exhibit B.

3 To the court reporter, did you agree to admit  
4 that yesterday?

5 THE COURT REPORTER: No.

6 CHMN. CHENAL: I don't think -- nothing was  
7 admitted.

8 MR. MOYES: It was discussed yesterday. Do we  
9 have that?

10 MS. GRABEL: It should be Ellwood Exhibit B, I  
11 believe. That should be -- it was filed in Docket this  
12 morning. It's possible to pull up.

13 MR. MOYES: We've got it on a separate piece of  
14 paper here. If you will give us just a moment, we can  
15 work with the IT people to get it on the screen.

16 CHMN. CHENAL: Let's get it up on the screen so  
17 the folks on Zoom can see it.

18 MS. GRABEL: Apparently, it's not yet in the  
19 Docket. My assistant is monitoring and just emailed me  
20 it's on its way, but it's not there.

21 I can email it to you if that would help.

22 MR. MOYES: Mr. Chairman, it might be easier  
23 for us to just manually type it up real fast. I can have  
24 my assistant, Julie, do that real quick.

25 CHMN. CHENAL: I would just like it up on the

1 screen so the Members on Zoom can see it.

2 MR. MOYES: Let's do that.

3 Jason, she's got it coming. There we go.

4 So this is the condition that both parties  
5 agreed to prior to the commencement of the hearing  
6 yesterday in which we are in agreement again and wish to  
7 avow on the record that this is what we're proposing to  
8 be included as a condition in the CEC.

9 And I'll read for the record what it states  
10 exactly: Applicant shall use best efforts to reach,  
11 within 30 days of approval of the CEC, a commercially  
12 reasonable agreement with Ellwood Land Holdings, LLC, in  
13 response to Ellwood's request for easements necessary for  
14 Ellwood's neighboring project to connect to the Delaney  
15 Substation.

16 CHMN. CHENAL: Let me ask the applicant  
17 representative. I don't know which one should answer it,  
18 but is that language in the condition on the screen  
19 acceptable to the applicant?

20 MS. SOLOMON: Yes.

21 CHMN. CHENAL: All right. Thank you.

22 And, Ms. Grabel, I assume that language is  
23 acceptable to Ellwood?

24 MS. GRABEL: It is, although I have two  
25 clarifying questions that I'd like to ask.

1 CHMN. CHENAL: Please proceed.

2 MS. GRABEL: Thank you.

3 Ms. Solomon, is it feasible for Recurrent to  
4 facilitate providing site control to Ellwood of an  
5 adequate easement requested north of the Thomas Road  
6 alignment within 30 days of approval of this CEC?

7 MS. SOLOMON: We believe it is, yes.

8 MS. GRABEL: If the corridor that Recurrent has  
9 proposed is approved, would there still be room for the  
10 easement corridor that Ellwood seeks?

11 MS. SOLOMON: Yes.

12 MS. GRABEL: Thank you.

13 I have no further questions.

14 CHMN. CHENAL: Okay. Very good. Is there any  
15 further evidence regarding the issue of the -- of the  
16 agreement between the applicant and the intervenor?

17 MR. MOYES: No, Mr. Chairman.

18 MEMBER GRINNELL: Mr. Chairman.

19 CHMN. CHENAL: Yes, Member Grinnell.

20 MEMBER GRINNELL: Allow me to be clear here.

21 So within 30 days, if they cannot come to an agreement,  
22 does that void a potential CEC?

23 CHMN. CHENAL: No. It might cause a problem  
24 for the intervenor, but it wouldn't, in my view, void the  
25 CEC. It's just a condition that's no longer applicable,

1 I guess.

2 I mean, if the parties are good with the  
3 language, I guess I'm good with it. But, I mean, it does  
4 raise a few "what-ifs" that are not addressed by the  
5 language. But I don't --

6 MEMBER GRINNELL: Well, we're being asked to  
7 approve a CEC, and it sounds to me like we're looking at  
8 a conditional approval based on an agreement within  
9 30 days. Am I missing something?

10 CHMN. CHENAL: Well, the applicant can go ahead  
11 and proceed with its project. And they can do that  
12 whether or not the intervenor builds its project. So I  
13 think the CEC is alive and well.

14 This does require the applicant to, you know,  
15 use best efforts, you know, working with the intervenor.  
16 But if that comes to pass, I think that's great and  
17 there's no issue. But if it doesn't come to pass, I  
18 think the intervenor -- I mean, excuse me, the applicant  
19 still has the authority under the CEC to construct its  
20 project.

21 Certainly, it would complicate the relationship  
22 between the intervenor and the applicant if they're not  
23 able to reach an agreement within 30 days or something  
24 unknown occurs. I mean, but I think the applicant and  
25 the intervenor are comfortable with the language and the



1 testimony of Ms. Solomon is that it's very feasible.

2 MEMBER GRINNELL: I respect that and understand  
3 that point. But I guess going back to a bigger point,  
4 then, why are we even considering the intervenor's  
5 position in the first place if the applicant may or may  
6 not agree with them?

7 MS. GRABEL: Mr. Chairman, may I be heard on  
8 this?

9 CHMN. CHENAL: Sure, absolutely.

10 MS. GRABEL: So I believe, in answer to your  
11 question, that what this condition does is it requires  
12 the applicant to work with best efforts to work with my  
13 client to come up with a commercially reasonable  
14 agreement given the questions that I asked Ms. Solomon  
15 earlier.

16 I think that my client, then, would have  
17 recourse against Recurrent as that potentially is a  
18 failure to comply with the conditions. They did not use  
19 best efforts, or if they failed to negotiate a  
20 commercially reasonable agreement. Obviously, it doesn't  
21 require Recurrent to reach an agreement. If we can't do  
22 it, we can't do it. But they do have to use their best  
23 efforts to do so. And I believe we would have recourse  
24 under the CEC if they did not.

25 CHMN. CHENAL: Member Noland and then Member

1 Palmer and back to Member Grinnell.

2 MEMBER NOLAND: Mr. Chairman, when Ellwood  
3 comes in for a CEC for their lines to Delaney, we could  
4 also look at where they are, what's going on, how they're  
5 going to route their lines, and try and accommodate  
6 something if they hadn't come to an agreement. But I  
7 think it's going to be between the parties no matter what  
8 legally if something falls out from this.

9 CHMN. CHENAL: Member Palmer.

10 MEMBER PALMER: My thought, too, is that  
11 basically we are making a recommendation to the  
12 Commission. And if this condition isn't met, I suspect  
13 that possibly compromises the applicant's position when  
14 they appear before the Corporation Commission. And my  
15 suspicion is that at that point, the intervenor would be  
16 there making that point. So I think this gives them some  
17 teeth and some leverage that there has to be best efforts  
18 put forth to make this happen. And I don't see any  
19 reason why it wouldn't happen.

20 CHMN. CHENAL: But let me clarify with the  
21 parties. Within 30 days of the approval of the CEC. I  
22 thought I heard yesterday that that intent is 30 days of  
23 when that is finally approved by the Corporation  
24 Commission.

25 MEMBER PALMER: Okay. So it's not our

1 approval, then?

2 CHMN. CHENAL: Well, I guess that's a  
3 clarification. I mean ...

4 MR. MOYES: That's correct, Mr. Chairman and  
5 Mr. Palmer, as the parties discussed offline as we were  
6 negotiating this settlement, if you want to call it, this  
7 compromised condition. Again, this is a merging of the  
8 two conditions that were originally proposed by Ellwood  
9 when they first intervened.

10 CHMN. CHENAL: Right. Maybe we need to make  
11 that clarification in the language. Approval of the CEC  
12 by the Corporation Commission. Maybe it needs to be  
13 clarified so there's no ambiguity as to what "approval of  
14 the CEC" means. That's a date certain. It's intended to  
15 be a date certain. And the mere fact that Member Palmer  
16 read it as approval by the Committee as opposed to the  
17 Commission, I think, you know, requires us to add some  
18 clarification.

19 MR. MOYES: You make an excellent point, and  
20 we're happy to add that clarification.

21 CHMN. CHENAL: Let's do it now while we have  
22 the language up on the screen. By the Arizona  
23 Corporation Commission.

24 And I can tell you right now that because the  
25 Arizona Corporation Commission is a defined term within

1 the CEC, that when we get to this condition, it's  
2 probably going to be by the ACC or something like that.  
3 But let's leave it up there like that for now.

4 And, Member Palmer, given that, I think your  
5 point was that they would have come to an agreement by  
6 the time they got to -- the parties got to the  
7 Corporation Commission, but now this condition doesn't  
8 really kick in until 30 days after that.

9 MEMBER PALMER: Right. That kind of moots my  
10 point.

11 To me, it would still behoove them to reach an  
12 agreement so that they can come together at the  
13 Commission and say we've satisfied this condition. It  
14 was recommended, and that still would give them a strong  
15 point, a strong position to be in, both parties.

16 CHMN. CHENAL: And I agree with that. And  
17 also, Member Grinnell, there are a number of conditions  
18 in the CEC that are -- one doesn't know if they're  
19 actually going to be applicable until maybe construction  
20 starts. And the CEC is still valid.

21 And I can think of one right now. A typical  
22 condition that they put in the CEC is if the line is  
23 going to be built within 100 feet of a gas line, for  
24 example, they have to do certain testing. We don't know  
25 now whether or not -- I'm not saying it applies to this

1 case, but in a typical case, we don't know whether or not  
2 there's going to be a gas line there or not when they  
3 build these projects. All of these projects have a  
4 ten-year life. We put in a ten-year term for the CEC.

5           So the fact that there may not be a gas line  
6 and there's a condition that addresses it, it may not be  
7 a condition that's applicable, but it's still a valid  
8 CEC. And I think the same analysis would apply here.  
9 Whether or not there's an agreement that's actually  
10 reached, we don't know yet. But even if it's not  
11 achieved, it's still a valid CEC, I think, would be the  
12 legal analysis. But that may not be satisfactory for  
13 you, but I think that's at least how I would look at it.  
14 But I want to make sure your questions are answered.

15           MR. MOYES: Mr. Chairman, I can provide, if  
16 it's helpful, a specific example to refresh the memory of  
17 the Committee only because it's the last CEC that I was  
18 involved in where we had a similar condition to this,  
19 which was the White Wing project.

20           If the Chairman recalls in that project, we had  
21 a very late intervention by the Imperial Irrigation  
22 District, who had expressed some concerns about potential  
23 impacts on the transmission system if the White Wing  
24 project was ever built. And the parties, in a similar  
25 fashion, worked out and negotiated an agreement in a

1 somewhat open-ended condition that essentially said the  
2 parties would work in good faith together to reach a  
3 solution if it was necessary. And that was approved as  
4 the CEC.

5           Down the road IID's concerns were resolved, and  
6 the condition sort of became inapplicable. I think  
7 Ms. Grabel stated it very well and succinctly that what  
8 this condition does, in fact, require and bind the  
9 applicant to do is use those best efforts and act in a  
10 commercially reasonable manner as opposed to just  
11 ignoring it, telling the intervenor to go away and not  
12 talking to them at all.

13           CHMN. CHENAL: Right. But I think Member  
14 Grinnell's question is what if you don't have an  
15 agreement, what if it's not reached, what effect does  
16 that have on the CEC?

17           And I hope we have answered that question,  
18 Member Grinnell. But have we to your satisfaction?

19           MEMBER GRINNELL: I just want to avoid anybody  
20 coming back to this Committee saying that we were  
21 short-sighted in our approval. It's our custom -- I'm  
22 new to this, for those that don't know. So I just want  
23 to avoid any comeback to say that we didn't do our job  
24 correctly. That's what I want to make sure that it's  
25 understood.

1 CHMN. CHENAL: I think -- especially where the  
2 parties have come to an agreement on something like this,  
3 I think we're on safe ground.

4 MEMBER GRINNELL: Thank you, sir.

5 MS. GRABEL: Mr. Chairman, if I may very  
6 quickly.

7 CHMN. CHENAL: Yes, Ms. Grabel.

8 MS. GRABEL: I do believe it would be our  
9 position that were the applicant to just blow us off and  
10 not use their best efforts, we would argue that it was  
11 not a valid CEC because they did not comply with the  
12 condition. Put that on the record.

13 CHMN. CHENAL: Yes, yes. A violation of the  
14 condition, I think exactly, would give the intervenor  
15 recourse. Good faith efforts that failed to achieve an  
16 agreement, I think that would be a different story, and I  
17 think you admitted that. In that case, if it doesn't  
18 happen, it doesn't happen, but the CEC would still be  
19 valid.

20 And we have other provisions in the CEC that  
21 are intended to give recourse to other parties. For  
22 example, when contractors are -- when subcontractors come  
23 in and actually build the project, they're required to  
24 comply with the terms and conditions of the CEC. And if  
25 they don't, you know, landowners, parties, have recourse

1 for that very reason. So I certainly agree with that.

2 MEMBER GENTLES: Mr. Chairman.

3 CHMN. CHENAL: Member Gentles.

4 MEMBER GENTLES: This is an interesting  
5 question that Mr. Grinnell brings up because there are a  
6 number of requirements in the CEC, and he just pointed  
7 out one of them, what if they weren't met.

8 Go back to the Kingman CEC with the radial  
9 towers, if those weren't mitigated to make sure that they  
10 did not interfere with the radio frequencies. So I guess  
11 the question is, what -- you know, it could be any one of  
12 the requirements within the CEC. What if any of those  
13 aren't met? So I guess the question is whether or not  
14 there's recourse globally for the CEC not being complied  
15 with.

16 CHMN. CHENAL: That's why we have these  
17 conditions. And I know I've -- we've discussed a number  
18 of -- added a number of conditions over the last few  
19 years, precisely to provide recourse to affected parties.  
20 And I think it's very important that that be the case.

21 I think Member Grinnell's question was -- and I  
22 don't want to put words in his mouth, but I think the  
23 question was, what if the parties, despite best efforts,  
24 are not able to reach an agreement, does that nullify the  
25 CEC? And I think the answer in that case is no, it



1 doesn't nullify. The CEC is alive and well.

2 If the applicant were to blow off the  
3 intervenor and not work in good faith to reach an  
4 agreement, then the intervenor would have recourse under  
5 the CEC. I think it's as easy as that.

6 So, where are we, Mr. Moyes? Are we -- are we  
7 at the conclusion of the case?

8 MR. MOYES: I believe so.

9 CHMN. CHENAL: Ms. Grabel, any further  
10 questions or ...

11 MS. GRABEL: Not at this time.

12 CHMN. CHENAL: Okay.

13 Let me ask Mr. Warner where we are with the  
14 potential legal description for the proposed substation.

15 MR. WARNER: I think it's done.

16 CHMN. CHENAL: Is it possible to see this work  
17 of art up on the screen?

18 MR. WARNER: Give us just a moment.

19 CHMN. CHENAL: Your team makes you look good,  
20 Mr. Warner.

21 MR. WARNER: They certainly do.

22 CHMN. CHENAL: Between your team and your bow  
23 tie, you're outstanding.

24 MR. WARNER: I do the best I can.

25 So what you're seeing here on the left is a

1 depiction of -- they marked the corners of the substation  
2 site so that you can see them.

3 Why don't you roll down, Jason, to the lower  
4 portion.

5 And you see the legend. And then we've added  
6 the acreage on the legend so you can see the size of the  
7 acreage there.

8 CHMN. CHENAL: Can we scroll up and look at the  
9 document.

10 MEMBER NOLAND: Mr. Chairman.

11 CHMN. CHENAL: Member Noland.

12 MEMBER NOLAND: I think this completely  
13 satisfies me as far as a good legal description, both  
14 corridor and the potential substation site.

15 CHMN. CHENAL: Thank you. Thank you.

16 Any concerns or questions from the Committee  
17 on -- we'll give it -- we'll make that an attachment,  
18 then, to the CEC.

19 All right. So, good.

20 I think we're at the time, then, when we would  
21 allow some final argument, and then we'll close the case  
22 and take a break, and then we'll begin deliberations on  
23 the form of the CEC if that's acceptable to the  
24 Committee. I suspect it is.

25 MR. MOYES: Mr. Chairman, do you want us to go

1 through a list of the exhibits?

2 CHMN. CHENAL: Yes, absolutely. We'll do --  
3 give me one second.

4 For both parties. So let's start with the  
5 applicant.

6 MR. MOYES: Just for clarity's sake, the only  
7 exhibit that we did not specifically talk and put up on  
8 the screen yet and which we will, is Exhibit RE-19, which  
9 is a draft of the proposed CEC language, which we  
10 submitted.

11 CHMN. CHENAL: We won't make that an exhibit,  
12 at least not yet. We're not going to admit it, anyway.  
13 It's for identification.

14 MR. MOYES: Sure.

15 CHMN. CHENAL: And we'll have that up on the  
16 screen along with the most current version. We'll start  
17 that when we begin our deliberations.

18 MR. MOYES: And I believe all of the exhibits  
19 up through RE-24, we have already discussed and laid the  
20 foundation for.

21 RE-25, which has been marked and given to the  
22 court reporter, is a hard copy of the PowerPoint slide  
23 presentations that you've seen.

24 RE-26 is an electronic copy of the visual  
25 flyover in Google Earth, the drone footage that you saw

1 yesterday.

2 And lastly, RE-27 is this new map with the  
3 legal descriptions that was just up on the screen  
4 regarding the corridor.

5 CHMN. CHENAL: So you're moving for admission  
6 of RE-1 through 18 and 20 through 27?

7 MR. MOYES: That's correct, Mr. Chairman.

8 CHMN. CHENAL: All right. Applicants -- any  
9 objection?

10 MS. GRABEL: No.

11 CHMN. CHENAL: Applicants move for admission of  
12 RE-1 through 18 and RE-20 through 27.

13 Hearing no objections, those are admitted.

14 And then the intervenor, do you have --

15 MS. GRABEL: Yes. I have Ellwood Exhibits A,  
16 B, and C, all of which were filed in the docket. I  
17 believe the court reporter actually might have marked  
18 them as ELH-A, B, and C, that I would move to admit at  
19 this time.

20 CHMN. CHENAL: Okay. Intervenors move for  
21 admission of ELH-A, B, and C.

22 Any objection?

23 (No response.)

24 CHMN. CHENAL: Hearing none, ELH-A, B, and C  
25 are admitted.

1           Would you like a break or should we have final  
2 argument and then -- if you want. We don't need it, but  
3 if you want it just to sum it up, and then we can take a  
4 break. And we'll get everything set up for the  
5 deliberations.

6           MR. MOYES: Just by way of a brief closing  
7 statement, Mr. Chairman, we wish to thank you and the  
8 Committee Members for taking the time to be here.

9           Going back to when this applicant originally  
10 envisioned this process, there was some question as to  
11 whether or not a CEC was even required. Simply put, the  
12 very short and simple nature of this project and a short  
13 gen-tie could arguably be exempt from a CEC requirement.  
14 And we worked with ACC Staff to determine that it was  
15 probably better to be safe than sorry to present to the  
16 Committee and especially because there were other  
17 interested parties in the area, as we know, such as  
18 Ellwood, to put on the record a description of what we're  
19 planning to do and make sure that we didn't leave  
20 anything hanging in the balance.

21           We believe that we've put on a fair and  
22 accurate case and description of what our plans are.  
23 That we've described all of the statutory elements that  
24 you, as a Committee, are required to review and consider  
25 when granting a CEC. And we believe that this project is

1 compatible with all of those elements, meets those  
2 requirements, and we, therefore, request that you do  
3 grant a Certificate of Environmental Compatibility for  
4 the RE Papago Gen-tie Project.

5 Thank you Mr. Chairman.

6 CHMN. CHENAL: Thank you very much.

7 Ms. Grabel?

8 MS. GRABEL: Thank you, Chairman. Thank you,  
9 Committee Members. We really appreciate your time. We  
10 are grateful to Recurrent for their working with us, and  
11 we're hopeful that we do reach an agreement within 30  
12 days after approval of the CEC.

13 CHMN. CHENAL: Okay. Very good.

14 All right. I'm going to suggest that we take a  
15 break and allow the applicant to set up on the screens  
16 the form of the CEC that we've landed on, including the  
17 attachment. And that will be on the screen on the left.  
18 And then the screen on the right will be a mirror image  
19 of that. But as we go through, we can make our changes.  
20 And then that will become, if it's approved, the final  
21 CEC.

22 So RE-19 is the draft CEC.

23 MR. MOYES: Yes.

24 CHMN. CHENAL: That's been changed since it was  
25 submitted.

1 MR. MOYES: Good point.

2 CHMN. CHENAL: So you're up to RE-27. Let's  
3 make RE-28 the CEC we begin with, the draft CEC we begin  
4 with on the left screen. And RE -- did I say 28?

5 And then 29 -- RE-29 will be the document that  
6 we change or modify as we go through.

7 MR. MOYES: Thank you. If you will give us a  
8 few moments, we'll get those up on the screen.

9 CHMN. CHENAL: Let's go take our break.

10 (A recess was taken from 10:31 a.m. to  
11 11:04 a.m.)

12 CHMN. CHENAL: Good afternoon -- or good  
13 morning. Let's get back on the record, and we'll begin  
14 our deliberations.

15 Member Noland has a question.

16 MEMBER NOLAND: I do. I'm having trouble  
17 reading what's on the screen or on my iPad. And I  
18 wondered if at least on the iPad it could be expanded a  
19 little bit just as we go through.

20 MR. MOELLER: To increase the size of it, we  
21 would need to only display one document at a time.

22 CHMN. CHENAL: Let's do that, Jason. Let's  
23 just show the document on the right.

24 MEMBER NOLAND: That's much better. Thank you.

25 CHMN. CHENAL: And just so we go over the

1 ground rules again, the left screen is the draft CEC with  
2 the condition that's been negotiated by the parties. It  
3 also has a condition that I threw in regarding  
4 interconnection agreements, filing those with the  
5 Corporation Commission. That's kind of been a standard  
6 one. And that's -- on the left screen will be RE-28.

7 RE-29 is on the right side of the screen, and  
8 that will be the document that Julie will change as we go  
9 through this and clean it up. And at the end, the vote  
10 on it will become, if it's approved, the final document.

11 So before we begin deliberations, are there any  
12 questions or should we just proceed as we always do? I  
13 think they're ready.

14 As for the Members that are appearing by Zoom,  
15 I can't tell very well whether you're able to see the  
16 screen with the document, but I see Member Branum nodding  
17 his head yes. Hopefully, that's acceptable. So if  
18 there's a problem, just please speak up.

19 MEMBER GRINNELL: Mr. Chairman, I only see one  
20 document, and I'm assuming this is the document we're  
21 supposed to be viewing at this time?

22 CHMN. CHENAL: Yes. Thank you. What you're  
23 seeing is really the right screen. We have two screens  
24 here in the hearing room. And you're seeing the screen  
25 on the right, which will be the one that will change as



1 we go through.

2 But there's only -- we only need to put one  
3 document up because right now, they're both the same. So  
4 anything you see on the right document is a mirror image  
5 of the left unless it's changed. So we only need one  
6 document.

7 MEMBER GRINNELL: Thank you.

8 CHMN. CHENAL: So looking at the first  
9 paragraph on page 1.

10 Let me ask, Mr. Moyes, if you have a hard copy  
11 of the CEC that I could have with the changes.

12 MR. MOYES: We can get one printed really quick  
13 if you want to --

14 CHMN. CHENAL: No, that's okay.

15 MR. MOYES: Sorry.

16 CHMN. CHENAL: That's okay if you don't have  
17 one. That's okay.

18 So looking at page 1, lines 1 through 21.

19 Let's take a moment to read that.

20 May I have a motion to approve.

21 MEMBER HAMWAY: So moved.

22 MEMBER PALMER: And a second.

23 CHMN. CHENAL: Motion and a second.

24 Any further discussion?

25 (No response.)

1 CHMN. CHENAL: All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN. CHENAL: And just so we're all clear,  
4 we're approving this document as to form. At the end,  
5 we'll do a vote as to whether we approve the CEC.

6 So then we go lines 23 through 26.

7 MEMBER GENTLES: Mr. Chairman.

8 CHMN. CHENAL: Yes, Member Gentles.

9 MEMBER GENTLES: There's usually a motion that  
10 allows you to clean up any typographical errors or  
11 anything, omissions, that sort of thing. Are we doing  
12 that as well?

13 CHMN. CHENAL: Yes. It's to enable me, when I  
14 review the final document, assuming it's approved, to  
15 clean up any minor changes and scrivener's errors and  
16 things like that.

17 I would certainly appreciate such a motion and  
18 a second and approval.

19 MEMBER HAENICHEN: Actually, I'll move that.

20 MR. PALMER: Second.

21 CHMN. CHENAL: Motion and a second.

22 All in favor say "aye."

23 (A chorus of "ayes.")

24 CHMN. CHENAL: Thank you for that.

25 Then lines 21 through 26 on page 1.

1 Any further discussion?

2 (No response.)

3 CHMN. CHENAL: If not, may I have a motion.

4 MEMBER PALMER: Motion to approve.

5 MEMBER HAMWAY: Second.

6 CHMN. CHENAL: We have a motion and a second.

7 All in favor say "aye."

8 (A chorus of "ayes.")

9 CHMN. CHENAL: Then page 2, lines 1 through 10.

10 Let's take a moment to review.

11 I think I would like to add on line 10,  
12 represented by, if you would like, Meghan Grabel --

13 MS. GRABEL: Thank you.

14 CHMN. CHENAL: -- of Osborn Maledon.

15 MS. GRABEL: I have an H in my name. It's  
16 okay.

17 CHMN. CHENAL: And is that correct, Ms. Grabel?  
18 Everything up there's correct?

19 MS. GRABEL: Yes. Thank you.

20 CHMN. CHENAL: Very good.

21 So any further discussion?

22 (No response.)

23 CHMN. CHENAL: If not, may I have a motion to  
24 approve page 2, lines 1 through 10.

25 MEMBER HAMWAY: So moved.

1 MEMBER HAENICHEN: Second.

2 CHMN. CHENAL: All in favor say "aye."

3 (A chorus of "ayes.")

4 CHMN. CHENAL: Let's look at page 2, lines --  
5 let's do lines 11 through 15.

6 And, of course, we'll have to keep the vote  
7 blank for now, but any further discussion on lines 11  
8 through 15?

9 (No response.)

10 CHMN. CHENAL: If not, may I have a motion to  
11 approve.

12 MEMBER PALMER: Motion to approve.

13 MEMBER HAMWAY: Second.

14 CHMN. CHENAL: We have a motion and a second.  
15 All in favor say "aye."

16 (A chorus of "ayes.")

17 CHMN. CHENAL: Then lines 16 to 23. Let's take  
18 a moment to review, please.

19 MEMBER HAENICHEN: I move 16 --

20 CHMN. CHENAL: Member Noland.

21 MEMBER NOLAND: I yield to Member Haenichen.

22 CHMN. CHENAL: Member Haenichen.

23 MEMBER HAENICHEN: I move 16 through 23.

24 MEMBER NOLAND: Second.

25 CHMN. CHENAL: We have a motion and a second.

1 Any further discussion?

2 (No response.)

3 CHMN. CHENAL: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN. CHENAL: Thank you. Let's review  
6 conditions one at a time, please. So we'll start with  
7 page 1, lines 24, through page 2, line -- if we could  
8 scroll down.

9 MEMBER GENTLES: Mr. Chairman.

10 CHMN. CHENAL: Member Gentles.

11 MEMBER GENTLES: Just a point of clarification,  
12 do we need to say anywhere in the CEC that this CEC does  
13 not apply to the solar power plant?

14 CHMN. CHENAL: No, I don't think so, Member  
15 Gentles. We've done a lot of gen-tie lines in the past  
16 both with solar plants and also windmill farms, and we  
17 never address that aspect of it. Our jurisdiction  
18 doesn't cover it, so I think it's -- we haven't done it.

19 MEMBER GENTLES: Okay.

20 MEMBER NOLAND: Mr. Chairman.

21 CHMN. CHENAL: Member Noland.

22 MEMBER NOLAND: We haven't had any discussion  
23 about why is it ten years for this certificate. We heard  
24 that they were planning on beginning construction in  
25 2023, I believe was my recollection. Can we hear

1 something about why they need a ten-year CEC?

2 CHMN. CHENAL: Let's get the full condition up  
3 on the screen.

4 Okay. So, yes. I mean, that's -- my  
5 recollection is the applicant wants this up and running  
6 in 2023. But, obviously, one doesn't know what could  
7 cause delays.

8 Does the applicant need ten years?

9 MR. MOYES: I would reiterate the point you  
10 just made, Mr. Chairman. Of course, best case scenario,  
11 we hope to construct sooner than later with any of these  
12 projects. But going off of past precedent for similar  
13 gen-ties for solar projects, ten years was granted in  
14 those conditions as well simply to provide flexibility  
15 for an industry that is very fluid and is evolving day by  
16 day. And it ebbs and flows, as any of my witnesses can  
17 tell you who are involved in this industry and know much  
18 more about the marketing of these products. You hope  
19 things go smoothly and you can construct within a few  
20 years, but sometimes it takes longer.

21 And so in the last probably ten years or so,  
22 requests for additional time has been accommodated by the  
23 Committee, and we've asked for ten years before. And  
24 sometimes we've needed up to ten years. So that was the  
25 reason for that ask.

1 MEMBER NOLAND: Thank you, Mr. Chairman. I  
2 just wanted to get some discussion of that on the record.

3 CHMN. CHENAL: All right. So we have -- if you  
4 could scroll up just a little. We're jumping pages here  
5 just this one time.

6 Page 2, lines 25, through page 3, line 5.

7 Any further discussion?

8 (No response.)

9 CHMN. CHENAL: And I'll ask that the -- on  
10 line 5, that for this condition and all the subsequent  
11 conditions, that the citations for a previous CEC be  
12 struck.

13 Any further discussion?

14 (No response.)

15 CHMN. CHENAL: May I have a motion, please.

16 MEMBER NOLAND: So moved.

17 CHMN. CHENAL: And a second.

18 MEMBER PALMER: Second.

19 CHMN. CHENAL: All in favor say "aye."

20 (A chorus of "ayes.")

21 CHMN. CHENAL: Thank you.

22 Let's go to Condition 2. Let's review this,  
23 please.

24 Okay. Any further discussion regarding  
25 Condition 2?

1 (No response.)

2 CHMN. CHENAL: If not, may I have a motion,  
3 please.

4 MEMBER GENTLES: So moved.

5 MEMBER NOLAND: Second.

6 CHMN. CHENAL: We have a motion and a second.

7 All in favor say "aye."

8 (A chorus of "ayes.")

9 CHMN. CHENAL: Thank you.

10 If we could scroll to Condition 3. We won't  
11 see it all at one time, but lines 17 through 26 on  
12 page 3. And if we could scroll down to the conclusion of  
13 Condition 3 on the following page.

14 Any further -- oops. Any further discussion?

15 MEMBER HAENICHEN: I move Condition 3.

16 MEMBER HAMWAY: Second.

17 CHMN. CHENAL: Motion and a second.

18 All in favor say "aye."

19 (A chorus of "ayes.")

20 CHMN. CHENAL: Thank you.

21 Condition 4. And these were all standard  
22 conditions and all were proposed by the applicant.

23 Any further discussion regarding Condition 4?

24 (No response.)

25 CHMN. CHENAL: If not, may I have a motion.



1 MEMBER GENTLES: So moved.

2 MEMBER PALMER: Second.

3 CHMN. CHENAL: Motion and a second.

4 All in favor say "aye."

5 (A chorus of "ayes.")

6 CHMN. CHENAL: Thank you. Condition 5.

7 Any further discussion?

8 MEMBER HAMWAY: I move Condition 5.

9 MEMBER NOLAND: Second.

10 CHMN. CHENAL: We have a motion and a second.

11 All in favor say "aye."

12 (A chorus of "ayes.")

13 CHMN. CHENAL: Condition 6 regarding adding

14 protection measures.

15 Any further discussion?

16 (No response.)

17 CHMN. CHENAL: If not, may I have a motion to

18 approve.

19 MEMBER GENTLES: So moved.

20 CHMN. CHENAL: Second.

21 MEMBER NOLAND: Second.

22 CHMN. CHENAL: All in favor say "aye."

23 (A chorus of "ayes.")

24 CHMN. CHENAL: Thank you.

25 Condition 8 -- excuse me, Condition 7.

1 Any further discussion?

2 (No response.)

3 CHMN. CHENAL: If not, may I have a motion.

4 MEMBER PALMER: Move Condition 7.

5 CHMN. CHENAL: And a second.

6 MS. HAMWAY: Second.

7 CHMN. CHENAL: All in favor say "aye."

8 (A chorus of "ayes.")

9 CHMN. CHENAL: Thank you.

10 Condition 8.

11 Any further discussion?

12 (No response.)

13 CHMN. CHENAL: If not, may I have a motion and

14 a second.

15 MEMBER NOLAND: So moved.

16 MEMBER HAMWAY: Second.

17 CHMN. CHENAL: All in favor say "aye."

18 (A chorus of "ayes.")

19 CHMN. CHENAL: Condition 9. Let's take a

20 moment to review.

21 MEMBER NOLAND: Mr. Chairman.

22 CHMN. CHENAL: Yes, Member Noland.

23 MEMBER NOLAND: Do we really need this

24 condition?

25 CHMN. CHENAL: Well ...

1           MEMBER NOLAND: Seeing as how it's a gen-tie  
2 line, it's a very short line, there are no radio signals  
3 nearby. I know we've used it before, but this is kind of  
4 a different case.

5           CHMN. CHENAL: Well, I see no harm in having it  
6 in, and I could see a problem if this isn't built for  
7 nine years for some reason we can't anticipate. And, you  
8 know, there are leaps in technology as, you know, things  
9 get more digital. I don't know. I mean, I just --

10          MEMBER NOLAND: Just asking.

11          CHMN. CHENAL: Yeah. I take comfort in having  
12 these provisions in there even if they don't at first  
13 blush seem to apply because we just don't know what the  
14 future's going to hold. Certainly open to what the  
15 Committee thinks.

16          MEMBER GENTLES: Mr. Chairman, I like it in  
17 there. We've learned a lot over the course of the last  
18 several CECs. So it doesn't hurt to keep it in, I don't  
19 think.

20          CHMN. CHENAL: Well, any further discussion on  
21 Condition 9?

22          MEMBER GRINNELL: Mr. Chairman.

23          CHMN. CHENAL: Yes, Member Grinnell.

24          MEMBER GRINNELL: Leaving it in, does that --  
25 say this thing goes to the ten years plus and they come

1 back, somebody -- to renew or whatever, does that change  
2 the impact? I mean, because in the next ten years, I'm  
3 sure this community is going to be growing around this  
4 area with the possibility of radio, television towers,  
5 cell towers, everything else. Does that give them an  
6 opportunity of voiding this CEC?

7 CHMN. CHENAL: Well, I read it kind of the  
8 other way, Member Grinnell. If there is interference  
9 because of the structures, that the applicant has an  
10 obligation to cure it. It actually provides recourse to  
11 neighbors or, you know, whoever is affected by any  
12 interference. Granted, it's probably remote, but if it  
13 happens, it gives recourse to anyone who is suffering  
14 interference.

15 MEMBER NOLAND: Mr. Chairman, I withdraw my  
16 question. But I think just because we've had it in a  
17 previous CEC, it doesn't need to be in a current CEC.  
18 This is a different type of project. It is a different  
19 layout. Nobody's going to build right next to it. And I  
20 don't -- I'm not going to fall on my sword over this, but  
21 I think that sometimes we just include things because  
22 we've included them before. So I don't have an  
23 objection. I'll go along or not and vote for it.

24 CHMN. CHENAL: Okay. Any further discussion on  
25 Condition 9?

1 (No response.)

2 CHMN. CHENAL: If not, may I have a motion and  
3 a second.

4 MEMBER HAMWAY: I was just going to say there's  
5 going to be so much transmission in this area that I  
6 think it would be hard to isolate that this .3 miles was  
7 causing any kind of interference, but I don't know.

8 CHMN. CHENAL: Any further discussion?

9 (No response.)

10 MEMBER HAENICHEN: I'll move Condition 9.

11 MEMBER GENTLES: Second.

12 CHMN. CHENAL: We have a motion and a second.

13 All in favor say "aye."

14 (A chorus of "ayes.")

15 MEMBER HAMWAY: No.

16 MEMBER NOLAND: No.

17 CHMN. CHENAL: Okay. Condition 10, please.

18 Let's take a moment to review.

19 Any further discussion?

20 (No response.)

21 CHMN. CHENAL: If not, may I have a motion and  
22 a second.

23 MEMBER DRAGO: Motion to approve.

24 MEMBER HAMWAY: Second.

25 CHMN. CHENAL: All in favor say "aye."

1 (A chorus of "ayes.")  
2 CHMN. CHENAL: Thank you.  
3 Condition 11. Any further discussion?  
4 MEMBER NOLAND: I move Condition 11.  
5 MEMBER HAENICHEN: Second.  
6 CHMN. CHENAL: Motion and a second.  
7 All in favor say "aye."  
8 (A chorus of "ayes.")  
9 CHMN. CHENAL: Thank you.  
10 And then Condition 12.  
11 Any further discussion?  
12 (No response.)  
13 CHMN. CHENAL: If not, may I have a motion and  
14 a second, please.  
15 MEMBER HAMWAY: I move Condition 12.  
16 MEMBER PALMER: Second.  
17 CHMN. CHENAL: We have a motion and second.  
18 All in favor say "aye."  
19 (A chorus of "ayes.")  
20 CHMN. CHENAL: Thank you.  
21 Condition 13.  
22 Any further discussion?  
23 (No response.)  
24 CHMN. CHENAL: If not, may I have a motion and  
25 a second.

1 MEMBER HAMWAY: So moved.

2 MEMBER NOLAND: Second.

3 CHMN. CHENAL: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN. CHENAL: Condition 14. Let's take a  
6 moment to review.

7 Any further discussion?

8 (No response.)

9 CHMN. CHENAL: If not, may I have a motion and  
10 a second.

11 MEMBER HAMWAY: So moved.

12 MEMBER PALMER: Second.

13 CHMN. CHENAL: Motion and a second.

14 All in favor say "aye."

15 (A chorus of "ayes.")

16 CHMN. CHENAL: Let's review Condition 15.

17 MEMBER GENTLES: So moved.

18 CHMN. CHENAL: Any further discussion?

19 (No response.)

20 CHMN. CHENAL: If not, we have a motion. May I  
21 have a second.

22 MEMBER HAENICHEN: Second.

23 CHMN. CHENAL: All in favor say "aye."

24 (A chorus of "ayes.")

25 CHMN. CHENAL: Condition 16.

1 Any further discussion?

2 (No response.)

3 CHMN. CHENAL: If not, may I have a motion and  
4 a second.

5 MEMBER GENTLES: So moved.

6 MEMBER HAMWAY: Second.

7 CHMN. CHENAL: All right.

8 All in favor say "aye."

9 (A chorus of "ayes.")

10 CHMN. CHENAL: Okay. No. 17. This is actually  
11 one that was requested by the Staff at the Corporation  
12 Commission in their letter, which is Chairman's  
13 Exhibit 1.

14 Can we scroll down and see -- so the folks on  
15 Zoom can see it.

16 MEMBER GENTLES: Mr. Chairman.

17 CHMN. CHENAL: Yes.

18 MEMBER GENTLES: I don't recall any  
19 conversation about this in the actual hearing. I may  
20 have missed it.

21 MEMBER NOLAND: Member Gentles, I asked the  
22 question if there were any natural gas lines within the  
23 area, and they responded that there was not.

24 MEMBER GENTLES: Okay. Thank you.

25 CHMN. CHENAL: We also had folks that gave



1 public comment, the fire chief and the -- was it the head  
2 of the school did make comment about gas storage  
3 facilities that are somewhere in the area. So this is  
4 another one that -- I know it goes back to Member  
5 Noland's point, but who knows what the future is going to  
6 hold.

7           This one, I did hear both of those speakers  
8 talk about gas storage facilities. And, you know, I just  
9 don't know what the future is going to hold. But when  
10 the Corporation Commission Staff specifically requests  
11 this, I -- you know, I think it's something we should put  
12 in. But that's me. That's why we have a Committee. I  
13 know there can be discussion and people feel differently.  
14 But I don't see any harm in including it. But if there  
15 is a -- you know, if lines are put in in the future and  
16 this project is built in the future, you know, I'd feel  
17 better that -- it's such a safety provision, that I think  
18 it's important we include it. But, again, I'm talking  
19 about one vote.

20           So any further discussion on whatever condition  
21 number this is? I can't remember. 17?

22           MEMBER NOLAND: 18.

23           CHMN. CHENAL: No, 17.

24           MEMBER NOLAND: 17.

25           CHMN. CHENAL: Any further discussion?

1 MEMBER PALMER: Move approval of 17.

2 MEMBER NOLAND: Second.

3 CHMN. CHENAL: We have a motion and a second.

4 All in favor say "aye."

5 (A chorus of "ayes.")

6 MEMBER NOLAND: No.

7 CHMN. CHENAL: Okay. Condition 18. Let's take  
8 a moment to review.

9 Can we scroll down to the -- okay.

10 So any further discussion regarding  
11 Condition 18?

12 MEMBER GENTLES: Can you scroll back up,  
13 Mr. Chairman.

14 CHMN. CHENAL: Any further discussion or  
15 questions regarding 18?

16 (No response.)

17 CHMN. CHENAL: If not, may I have a motion and  
18 a second.

19 MEMBER HAMWAY: I move Condition 18.

20 MEMBER GENTLES: Second.

21 CHMN. CHENAL: Could I ask you to move the  
22 microphone.

23 MEMBER HAMWAY: I move Condition 18.

24 MEMBER GENTLES: Second.

25 CHMN. CHENAL: We have a motion and a second.

1 All in favor say "aye."

2 (A chorus of "ayes.")

3 MEMBER GRINNELL: No.

4 CHMN. CHENAL: Thank you.

5 Condition 19.

6 Any further discussion?

7 (No response.)

8 CHMN. CHENAL: If not, may I have a motion and  
9 a second.

10 MEMBER HAMWAY: I move Condition 19.

11 MEMBER NOLAND: Second.

12 CHMN. CHENAL: We have a motion and a second.

13 All in favor say "aye."

14 (A chorus of "ayes.")

15 MEMBER GRINNELL: No.

16 CHMN. CHENAL: Condition 20.

17 Any further discussion?

18 (No response.)

19 CHMN. CHENAL: If not, may I have a motion and  
20 a second.

21 MEMBER PALMER: Move Condition 20.

22 MEMBER NOLAND: Second.

23 CHMN. CHENAL: We have a motion and a second.

24 All in favor say "aye."

25 (A chorus of "ayes.")

1 CHMN. CHENAL: Condition 21.

2 Any further discussion?

3 (No response.)

4 CHMN. CHENAL: If not, may I have a motion and  
5 a second.

6 MEMBER NOLAND: So moved.

7 MEMBER HAMWAY: Second.

8 CHMN. CHENAL: Motion and a second.

9 All in favor say "aye."

10 (A chorus of "ayes.")

11 CHMN. CHENAL: Thank you.

12 Condition 23 -- 22. Excuse me. Let's take a  
13 moment to review.

14 Any further discussion?

15 (No response.)

16 CHMN. CHENAL: If not, may I have a motion and  
17 a second.

18 MEMBER HAENICHEN: I move 22.

19 MEMBER PALMER: Second.

20 CHMN. CHENAL: We have a motion and a second.

21 All in favor say "aye."

22 (A chorus of "ayes.")

23 CHMN. CHENAL: Thank you.

24 Condition 23. This is the condition approved  
25 by the applicant and the intervenor.

1           And let me just ask Ms. Grabel, is Ellwood  
2 defined at the beginning of this document --

3           MS. GRABEL: Yes.

4           CHMN. CHENAL: -- as Ellwood?

5           MS. GRABEL: Yes. I recall that it was. I  
6 think it said Ellwood Land Holdings, LLC, and then  
7 defined as Ellwood.

8           CHMN. CHENAL: Okay. And is 23 acceptable to  
9 the applicant and the intervenor?

10           MR. MOYES: Yes. And just for clarity's sake,  
11 Julie wants to scroll up and make sure that we accurately  
12 defined Ellwood at the top.

13           CHMN. CHENAL: Is it Ellwood Land Holdings,  
14 LLC?

15           MS. GRABEL: Right.

16           MR. MOYES: Okay. I think we should be good  
17 now.

18           CHMN. CHENAL: So down to 23.

19           Okay. Any further discussion?

20           (No response.)

21           CHMN. CHENAL: If not, may I have a motion and  
22 a second.

23           MEMBER HAMWAY: I move Condition 23.

24           MEMBER NOLAND: Second.

25           CHMN. CHENAL: We have a motion and a second.

1 All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN. CHENAL: And 24 is one that I proposed,  
4 which we -- is a general one when we deal with  
5 interconnection agreements.

6 Is there any further discussion?

7 (No response.)

8 CHMN. CHENAL: If not, may I --

9 MEMBER NOLAND: I move Condition 24.

10 MEMBER PALMER: Second.

11 CHMN. CHENAL: We have a motion and a second.

12 All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN. CHENAL: We'll now go through the  
15 Findings of Fact and Conclusions of Law, and then we will  
16 review Exhibit A.

17 So Findings of Fact and Conclusions of Law

18 No. 1. Let's review each one. No. 1.

19 Any further discussion?

20 (No response.)

21 CHMN. CHENAL: If not, may I have a motion and  
22 a second.

23 MEMBER GRINNELL: So moved.

24 MEMBER NOLAND: Second.

25 CHMN. CHENAL: We have a motion and a second.

1 All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN. CHENAL: No. 2.

4 Any further discussion?

5 (No response.)

6 CHMN. CHENAL: If not, may I have a motion and  
7 a second, please.

8 MEMBER NOLAND: I move Conclusion 2.

9 MEMBER HAMWAY: Second.

10 CHMN. CHENAL: We have a motion and a second.

11 All in favor say "aye."

12 (A chorus of "ayes.")

13 CHMN. CHENAL: And No. 3.

14 Any further discussion?

15 (No response.)

16 CHMN. CHENAL: If not, may I have a motion and  
17 a second.

18 MEMBER HAMWAY: I move Conclusion 3.

19 MEMBER HAENICHEN: Second.

20 CHMN. CHENAL: We have a motion and a second.

21 All in favor say "aye."

22 (A chorus of "ayes.")

23 CHMN. CHENAL: No. 4.

24 Any further discussion?

25 (No response.)

1 CHMN. CHENAL: If not, may I have a motion and  
2 a second.

3 MEMBER GENTLES: I move 4.

4 MEMBER HAMWAY: Second.

5 CHMN. CHENAL: All in favor say "aye."

6 (A chorus of "ayes.")

7 CHMN. CHENAL: No. 5.

8 Any further discussion?

9 MEMBER NOLAND: I move No. 5.

10 MEMBER HAMWAY: Second.

11 CHMN. CHENAL: We have a motion and a second.

12 All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN. CHENAL: And No. 6.

15 Any further discussion?

16 (No response.)

17 CHMN. CHENAL: If not --

18 MEMBER HAMWAY: I move Condition --

19 CHMN. CHENAL: Oh, there's a word missing after  
20 the word "the" on line 17. State? Is that the state?

21 MEMBER HAENICHEN: State because it's that way  
22 on 4.

23 CHMN. CHENAL: So add the word "state" with a  
24 small S.

25 Any further discussion?



1 (No response.)

2 CHMN. CHENAL: Did I ask for a motion and a  
3 second? I'll ask for a motion and a second.

4 MEMBER GENTLES: Move.

5 MEMBER NOLAND: Second.

6 CHMN. CHENAL: We have a motion and a second.  
7 All in favor say "aye."

8 (A chorus of "ayes.")

9 CHMN. CHENAL: Let's look at the --

10 MR. MOYES: Mr. Chairman.

11 CHMN. CHENAL: Yes.

12 MR. MOYES: Should we capitalize "state"?

13 CHMN. CHENAL: Well, we'd have to make it  
14 consistent throughout. In No. 4, it's lower case. And  
15 in paragraph 5, it's lower case. I think "state" is  
16 lower case throughout. But maybe as part of the law  
17 review edit that this undergoes, assuming it's approved,  
18 we'll make sure it's consistent throughout.

19 MR. MOYES: Will do.

20 CHMN. CHENAL: All right. Let's go to  
21 Exhibit A. I believe it's referred to as Exhibit A, is  
22 it not, versus Exhibit 1? I think it's Exhibit A, but I  
23 don't have a hard copy in front of me.

24 MR. WARNER: It's Exhibit 1.

25 CHMN. CHENAL: Can we scroll up to the

1 beginning of the document where the project is described.

2 MR. MOYES: We describe it as Exhibit A in that  
3 paragraph.

4 CHMN. CHENAL: In which paragraph?

5 MR. MOYES: The first paragraph under the  
6 overview of the project.

7 If you can scroll back up there, Julie.

8 At the top of page 3. Keep going.

9 CHMN. CHENAL: It's Exhibit A.

10 MR. MOYES: There you go.

11 CHMN. CHENAL: It's line 23. But let's go up a  
12 little further. Okay. So we're going to look at  
13 Exhibit A in a moment.

14 Let's go up a little further. And we have to  
15 add what CEC number this is. If you go to the caption.  
16 It says CEC. We have to add the CEC number, which is --

17 MEMBER GENTLES: It's 189.

18 CHMN. CHENAL: I think it's 189.

19 MR. MOYES: We designated it as Case No. 189.

20 CHMN. CHENAL: Oh, I'm sorry. I'm sorry. I'm  
21 sorry. I don't like CEC. I'd like to have it spelled  
22 out, Certificate of Environmental Compatibility. I just  
23 think ...

24 Well, you know what, let me just think out  
25 loud. I look at Case No. 188, and there's actually

1 nothing -- can we scroll up a little. Okay.

2 There's actually nothing under -- in 188, it  
3 has the docket number, Case No. 188, and nothing  
4 underneath it. And then the next page, it has the  
5 Certificate of Environmental Compatibility.

6 So if we're going to do it like that one, and  
7 I'm not saying we have to, we would remove -- that would  
8 be taken out right there. There would be nothing there.  
9 It would just be left blank. And that's the way it would  
10 be. I just want to make sure that's okay with the  
11 Committee.

12 MEMBER PALMER: Yeah.

13 MEMBER DRAGO: Sure.

14 CHMN. CHENAL: So if that's okay, let's go to  
15 Exhibit A.

16 MEMBER NOLAND: Mr. Chairman.

17 CHMN. CHENAL: Member Noland.

18 MEMBER NOLAND: I move that we adopt Exhibit A  
19 as submitted.

20 MEMBER HAMWAY: Second.

21 CHMN. CHENAL: Okay. Let's look at it. I just  
22 want to make sure.

23 Let's just look at it. I see a problem with  
24 what's on the left screen. It says Exhibit 1, and it  
25 should be Exhibit A.

1 MR. MOYES: We're making that change right now.

2 CHMN. CHENAL: We can either make the change --

3 MR. MOYES: Yeah.

4 CHMN. CHENAL: Let me ask what the applicant  
5 would prefer. Would you rather refer to it as Exhibit 1  
6 or Exhibit A?

7 MR. MOYES: It's probably easier to just refer  
8 to it as Exhibit 1 and not have to change what we've  
9 already admitted into evidence.

10 MR. WARNER: It is a little easier.

11 CHMN. CHENAL: Then let's go back to page -- I  
12 can't tell what page it is. Is that 1 or 2? At page 2,  
13 line 23, we'll refer to that as Exhibit 1 as opposed to  
14 Exhibit A.

15 Okay. Good.

16 Now, can we see Exhibit 1 just -- it's on the  
17 left screen. I don't know if the people on Zoom can see  
18 it. But it was the same document that was discussed by  
19 Mr. Warner that has the legal descriptions. And I think  
20 we're all satisfied with it. And I know Member Noland is  
21 satisfied with it.

22 Member Noland, you moved for approval of  
23 Exhibit 1?

24 MEMBER NOLAND: I moved Exhibit A, but I will  
25 amend that and make it Exhibit 1.

1 CHMN. CHENAL: Thank you. May I have a second.

2 MEMBER HAMWAY: Second.

3 CHMN. CHENAL: Any further discussion?

4 (No response.)

5 CHMN. CHENAL: If not, may I have a motion to  
6 approve.

7 MEMBER NOLAND: That was my motion.

8 CHMN. CHENAL: Excuse me.

9 All in favor say "aye."

10 (A chorus of "ayes.")

11 CHMN. CHENAL: Okay. So now we have the form  
12 of the document. And the next step is to do a roll call  
13 vote.

14 MEMBER NOLAND: Mr. Chairman, I would like to  
15 move that we adopt the CEC as presented and voted on  
16 today.

17 CHMN. CHENAL: Very well.

18 May I have a second, please.

19 MEMBER PALMER: Second.

20 CHMN. CHENAL: Okay. Let's do a roll call  
21 note.

22 And, Member Noland, let's start with you.

23 MEMBER NOLAND: Mr. Chairman, I vote aye.

24 CHMN. CHENAL: Member Hamway.

25 MEMBER HAMWAY: Mr. Chairman, I vote aye.

1 CHMN. CHENAL: Mr. Drago.

2 MEMBER DRAGO: Aye.

3 MEMBER HAENICHEN: Aye.

4 MEMBER RIGGINS: Mr. Chairman, I vote aye.

5 MEMBER GENTLES: Mr. Chairman, I vote aye.

6 MEMBER GRINNELL: Mr. Chairman, I vote aye.

7 MEMBER BRANUM: Mr. Chairman, I vote aye.

8 CHMN. CHENAL: And I vote aye.

9 So good. We have a CEC. 189 has been  
10 approved, and we should reflect the vote is -- do the  
11 math for me, Julie, please.

12 MEMBER PALMER: 10-0.

13 CHMN. CHENAL: We had a full house today for  
14 this hearing. 10 to 0.

15 MEMBER GENTLES: Mr. Chairman.

16 CHMN. CHENAL: Yes.

17 MEMBER GENTLES: Coming off the Kingman CEC,  
18 this one was significantly easier. So thank you.

19 CHMN. CHENAL: And I want to thank the  
20 Committee, of course, and the applicant and the  
21 intervenor and Mr. Moyes, Ms. Grabel, and the witnesses.

22 Mr. Dawson, you got off very easy.

23 MR. DAWSON: Thank you.

24 CHMN. CHENAL: Mr. Desmarais, your knowledge is  
25 one that I will study for years to come on Recurrent

1 Power.

2 Mr. Warner, good to see you again.

3 Ms. Soloman or Madam Soloman -- I'm going to go  
4 French. It's much easier. Mademoiselle Soloman or  
5 Madam. It's much easier.

6 MS. SOLOMAN: Thank you, Mr. Chairman.

7 CHMN. CHENAL: And great staff as usual, and  
8 the AV team is first-rate.

9 So thank you, Julie. Thank you for being the  
10 scrivener here. Great job.

11 I would ask the applicant to review this with  
12 Ms. Grabel to make sure everything's fine. Get it to me,  
13 and then I will sign it and we'll get it filed in the  
14 docket.

15 Any final comments from the Committee on Zoom?

16 (No response.)

17 CHMN. CHENAL: Any final comments from the  
18 applicant or Ms. Grabel?

19 MR. MOYES: We will provide the review for you,  
20 and I want to express my thanks to you, Mr. Chairman, and  
21 each of the individual Committee Members for your help in  
22 completing this process.

23 And thank you to Ms. Grabel, our intervenors,  
24 and also all of our tech support and the court reporter,  
25 of course, as well. Thank you.

1 CHMN. CHENAL: Thank you, Carolyn. Very good,  
2 as usual.

3 All right. If nothing further, then this  
4 hearing is adjourned. Thank you.

5 (The hearing concluded at 11:41 a.m.)

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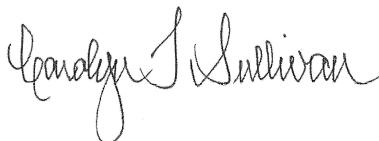


1 STATE OF ARIZONA )  
2 COUNTY OF MARICOPA )

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 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  
14 7-206(J)(1)(g)(1) and (2). Dated at Phoenix, Arizona,  
15 this 28th day of June, 2021.

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18 \_\_\_\_\_  
19 CAROLYN T. SULLIVAN, RPR  
20 Arizona Certified Reporter  
21 No. 50528

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

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27 \_\_\_\_\_  
28 COASH & COASH, INC.  
29 Arizona Registered Firm  
30 No. R1036