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BEFORE THE ARIZONA POWER PLANT
AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF)	DOCKET NO.
HASHKNIFE ENERGY CENTER LLC, IN)	L-21126A-20-
CONFORMANCE WITH THE REQUIREMENTS OF)	0300-00187
ARIZONA REVISED STATUTES 40-360, ET)	
SEQ., FOR CERTIFICATES OF)	
ENVIRONMENTAL COMPATIBILITY)	CASE NO. 187
AUTHORIZING THE HASHKNIFE ENERGY)	
CENTER GEN-TIE PROJECT, WHICH INCLUDES)	
THE CONSTRUCTION OF A NEW 500 KV)	
TRANSMISSION LINE AND ASSOCIATED)	
FACILITIES INTERCONNECTING WITH THE)	
EXISTING APS 500 KV CHOLLA SUBSTATION)	
IN NAVAJO COUNTY, ARIZONA.)	PREFILING
)	CONFERENCE

At: Phoenix, Arizona

Date: October 2, 2020

Filed: October 19, 2020

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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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 in Phoenix, Arizona, commencing at 11:11 a.m.
5 on the 2nd of October, 2020, with all participants
6 appearing via videoconference.

7

8

BEFORE: THOMAS K. CHENAL, Chairman

9

10 APPEARANCES:

11 For the Applicant:

12 DICKINSON WRIGHT, P.L.L.C.
13 By Mr. Albert Acken
14 1850 North Central Avenue, Suite 1400
Phoenix, Arizona 85004

15 For Potential Intervenor Arizona Public Service Company:

16 PINNACLE WEST CAPITAL CORPORATION
17 Law Department
18 By Ms. Linda Benally, Senior Attorney, Regulatory
400 North Fifth Street
Phoenix, Arizona 85004

19

For the Arizona Corporation Commission Staff:

20

21 Mr. Antonio Arias
22 Staff Attorney, Legal Division
1200 West Washington Street
Phoenix, Arizona 85007

23

24

25

1 ALSO PRESENT:

2 Ms. Susan Innis, Invenergy, Project Manager

3 Mr. Randall Simpson, Burns & McDonnell, Consultant

4 Mr. Brad Larsen, APS, Line Siting Consultant

5 Mr. Jason Spitzkoff, APS, Transmission Planning and
6 Interconnections Manager

7 Ms. Anna Chaulk, APS, Regulatory Analyst

8 Ms. Marie Cobb, Assistant to Chairman Chenal

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

2 This is the time set for the prefiling
3 conference in the Invenergy project.

4 May I have appearances, please, starting with
5 you, Mr. Acken.

6 MR. ACKEN: Thank you, Mr. Chairman. This is
7 Bert Acken of Dickinson Wright on behalf of the
8 applicant, which will be Hashknife Energy Center, LLC,
9 which is a wholly owned subsidiary of Invenergy, LLC.

10 With me today is Susan Innis, project manager
11 for Invenergy and for this project, and Randall Simpson,
12 who is the project manager for Burns & McDonnell, the
13 consulting group that has been assisting with the CEC
14 application.

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

16 Ms. Benally, would you like to enter an
17 appearance and explain who is with you today, please.

18 You are on mute.

19 MS. BENALLY: Thank you, Chairman Chenal.

20 This is Linda Benally. I am representing
21 Arizona Public Service Company today. APS has a portion
22 of the CEC, pardon me, a portion of the project that
23 will be an interconnection. And it's for that reason
24 that we are attending the conference.

25 I have with me today Jason Spitzkoff, who is the

1 transmission planning and interconnections manager.
2 Brad Larsen is also joining us, and he is the line
3 siting consultant who will be advising in this area
4 relative to the project. And Anna Chaulk is with the
5 state regulatory department at APS.

6 Thank you.

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

8 And, Mr. Arias, I am going to say Arias, Arias.

9 What is the pronunciation?

10 MR. ARIAS: Arias.

11 CHMN. CHENAL: Arias, that's what I thought.

12 Mr. Arias, would you just --

13 MR. ARIAS: Mr. Chairman, Antonio Arias on
14 behalf of the Utilities Commission Staff, Utilities
15 Division.

16 CHMN. CHENAL: Okay, thank you.

17 MR. ARIAS: Thank you.

18 CHMN. CHENAL: Thank you very much.

19 And with me is Marie Cobb, the brains of this
20 outfit.

21 So, and I am going to tell you right now I am
22 going to be probably referring to you by first name.
23 And that's just, you know, it is going to be a lot
24 easier. We don't have the fancy cards up like we have
25 at some of these hearing. And I can see your names

1 here, but I just -- that's probably what we will do.

2 So my understanding is this is, the attempt
3 here, and some of this is late-breaking, is that there
4 is intended to be a single application but two CECs
5 because of the nature of this project, both to go to
6 Invenergy, the applicant, but then, subsequent to, you
7 know, issuance of the CEC and on approval of the
8 Corporation Commission, the intent is to assign one of
9 those CECs to APS.

10 So, Mr. Acken, if you want to kind of give a
11 project overview, and then we will get into some of the
12 questions I have and go through my checklist.

13 MR. ACKEN: Thank you, Mr. Chairman.

14 For the project overview, I suggest that we all
15 look at Prefiling Exhibit No. 1.

16 Thank you, Ms. Cobb, for marking those for us.

17 I am going to turn it over to Ms. Innis to go
18 over the project facilities and describe it. As you
19 mentioned, it is our current plan to file one CEC
20 application for this gen-tie project, which will
21 interconnect to Hashknife Energy Center solar project to
22 the regional grid at the Cholla substation.

23 We are planning to request two CECs in order to
24 facilitate ownership differences for the portion of the
25 gen-tie project up to approximately the existing

1 substation boundary. And then from the substation
2 boundary internal to the interconnection, you know, will
3 likely be owned by APS. So that is why Hashknife Energy
4 will be requesting two CECs, to facilitate the
5 subsequent assignment of a portion of the gen-tie
6 project.

7 With that, Ms. Innis, if you would, with using
8 Prefiling Exhibit 1, provide just a high-level summary
9 of the project.

10 MS. INNIS: Sure.

11 Do you guys mind if I share my screen so we can
12 all --

13 CHMN. CHENAL: No. But before you do that,
14 Susan, let me just -- there are three exhibits,
15 Prefiling Exhibits 1, 2, and 3. They are already
16 premarked for identification. And they will be just
17 made a part of the transcript.

18 So please proceed.

19 MS. INNIS: Thank you, Chairman. I'll go ahead
20 and pull up this map so I can walk you through it.

21 The Hashknife Energy Center is a solar plus
22 storage project proposed in Navajo County just south of
23 the Town of Joseph City and very close to the existing
24 Cholla energy plant.

25 Let me just orient you to this project area map.

1 You have got it Exhibit 1. Inside the yellow boundary
2 is the solar project area. And then through this CEC
3 application request for two CECs, we are looking at a
4 preferred transmission line route for our 500kV tie line
5 that's shown in blue here. These numbers show the
6 distances, one mile, two miles, three miles. And then
7 the point of ownership change would be just outside the
8 APS property here outside the Cholla substation.

9 We are also including in our application a
10 second alternative route shown here in orange. This is
11 slightly longer but parallels existing transmission
12 facilities to get into the same point of interconnection
13 here.

14 We have been through the Navajo County
15 permitting process. We obtained the special use permit
16 for this facility last year.

17 In terms of public interest and opposition, I
18 can tell you the folks in Navajo County, it won't be any
19 surprise to you guys as owner/operators of the Cholla
20 power plant, they are very excited about the potential
21 for new economic development in the area.

22 So in terms of participation in the public
23 hearings that the county held, we really only had the
24 landowner, Aztec Land and Cattle, and the current
25 grazing lessee, a gentleman named JR DeSpain. The

1 grazing lessee is opposed to the project because this
2 will impact his ability to use the land for grazing.
3 But the landowner assured us they have other property
4 they are going to move him to. So he will be kept whole
5 if the solar project moves forward.

6 CHMN. CHENAL: Susan, can I interrupt you? Is
7 the grazing lessee, is he opposed -- he is opposed to
8 the route depicted in blue, is that correct?

9 MS. INNIS: He is opposed to the entire solar
10 project. We don't expect he is going to be an
11 intervenor in this case.

12 CHMN. CHENAL: Okay. But as between the two
13 routes, the route depicted in blue and the route
14 depicted in orange, does this person have a preference
15 either way or is he just opposed to the project
16 entirely.

17 MS. INNIS: That's a good question. Thanks for
18 asking me to clarify it.

19 I believe he is opposed to the project in its
20 entirety. He does live adjacent to the alternative
21 route we show here in orange. So if we were to move
22 forward with the blue route, or preferred alternative
23 here on the north side, that would be farther away from
24 his current home.

25 CHMN. CHENAL: All right. Thank you. Thank

1 you.

2 MS. INNIS: Let's see. The only other thing I
3 wanted to mention, we have done outreach on the project
4 as part of our special use permit. And for our CEC
5 application, we have -- we will be including a number of
6 Exhibit H letters to interested parties.

7 Union Pacific Railroad runs through here. We
8 have reached out to them a couple times to no avail.

9 There is also a State parcel on the western edge
10 of the solar project that's not impacted by the
11 transmission line routes, but we are keeping the Arizona
12 State Land Department informed of our activities. So
13 you will see a letter reach out to them and keeping them
14 up to speed on the CEC application we will be filing.

15 CHMN. CHENAL: Very good.

16 MS. INNIS: The only other thing I would mention
17 is we do have an existing LGIA with Arizona Public
18 Service for our position Q 230. So --

19 CHMN. CHENAL: LGIA, just for the record.

20 MS. INNIS: Sorry, large generator
21 interconnection agreement.

22 And that was Q position 230. And so that
23 document generally describes the facilities that
24 Invenergy, as the interconnection customer, and APS, as
25 the transmission provider, would build to facilitate

1 interconnection of this solar and storage energy
2 project.

3 I will go ahead and stop there, and happy to
4 entertain any questions.

5 CHMN. CHENAL: Could you describe generally what
6 the solar facilities will look like.

7 MS. INNIS: Yes. This is an up to 400 megawatt
8 solar photovoltaic facility. We anticipate it will take
9 up most of the footprint in this area.

10 Pretty typical for the solar installations you
11 all have seen around the state, we are using bifacial
12 panels on most our projects now. So we have got a
13 little extra energy boost having PV cells both on the
14 surface of the solar panels that face the sun and also
15 catching some of the albedo effect of the bounce back
16 off the earth on the inner side of the panels.

17 CHMN. CHENAL: And what will -- will there be
18 storage facilities, battery storage facilities as well
19 associated with the project?

20 MS. INNIS: Yep. For most of our projects these
21 days we are including a battery storage component mostly
22 to help smooth out the integration of that solar
23 production from the hot, sunny afternoons into the
24 evening hours. So we haven't engineered all the details
25 for this particular system, but we would be looking at

1 including some sort of storage capacity to smooth out
2 the energy production.

3 CHMN. CHENAL: All right, very good. I know
4 when we have had the wind generation project, it wasn't
5 obviously part of the application, nor will of course
6 the solar aspect here. But I think the Committee is
7 interested in knowing about the generation aspects here
8 because they certainly were in the other case. So I
9 think, you know, some testimony or some discussion of
10 that would be appreciated.

11 MS. INNIS: Great. We will be sure to do that.

12 CHMN. CHENAL: Thank you.

13 I didn't have any further questions.

14 Oh, the interconnection facilities, that's not
15 part of this application, is it, or is it? I should ask
16 that question. I think you mentioned there is going to
17 be some interconnection facilities.

18 MR. ACKEN: Mr. Chairman, so, yes, there will --
19 (Technical difficulties ensued.)

20 CHMN. CHENAL: Frozen. He's frozen in space, in
21 time.

22 MS. INNIS: There he is.

23 MR. ACKEN: If I go off -- can you hear me if I
24 go off of video?

25 (Technical difficulties ensued.)

1 (An off-the-record discussion ensued.)

2 CHMN. CHENAL: So, Susan, if you would --

3 Go back on the record. We had a little
4 technical snafu, but we are back on, ready to go so.

5 Susan, if you would be kind enough, I had a
6 question about the interconnection facilities, whether
7 that's going to be part of the application. Because
8 part of those are located and --

9 MS. INNIS: Yeah. Burt, you were starting to
10 answer that when you broke up. Do you want to give your
11 full answer there?

12 MR. ACKEN: Sure. So on the interconnection
13 facilities, we are requesting approval for the
14 interconnection at the project site. There will be a
15 substation, a step up to the 500kV. So that substation
16 is part of the requested approval. It is within the
17 footprint of the solar project.

18 And then the interconnection facilities into the
19 existing Cholla substation, and perhaps APS, you know,
20 can chime in as well, but we are really talking about
21 the line into the substation, the substation itself, my
22 understanding, predates CEC jurisdiction. So the Cholla
23 substation will not require authorization, just the line
24 into those, into the facility.

25 CHMN. CHENAL: Okay. I think that's an

1 unresolved issue that we really haven't decided. I know
2 some applicants believe substations are required to be
3 part and some take the position they aren't. And I
4 honestly have not taken -- drawn a position on that. As
5 long as the information is depicted in the -- and I
6 don't think the Corporation Commission has either. And
7 I know there are different schools of thought on it.
8 But I think as long as -- but I think it is important
9 that the facilities be depicted and discussed in the
10 application so we have the full context of the project.
11 I think that's important.

12 So are there any questions on that? All right.

13 MR. ACKEN: Understood.

14 CHMN. CHENAL: So, okay?

15 So let's go through my checklist at this point.
16 And I think some of these questions have been answered.
17 Possible intervenors, your assumption at this point is
18 there will not be intervenors in the project, is that
19 correct?

20 MR. ACKEN: Mr. Chairman, APS will be an
21 intervenor. They will be in an intervenor role. I
22 defer to Antonio whether he anticipates that Staff will
23 also intervene. We are not anticipating any other
24 intervenors than that.

25 CHMN. CHENAL: Antonio, you are not bound by it,

1 but do you believe you will be intervening in this?

2 MR. ARIAS: At this time I think we are just
3 waiting to see the application, and then we will be able
4 to make that decision.

5 CHMN. CHENAL: Fair enough.

6 And I, of course, assumed that APS is going to
7 be an intervenor. I should have mentioned that. But
8 okay, so...

9 And I think it was already discussed the public
10 interest is, you know, there is some support for it.
11 There may be one gentleman who is opposed it. But I
12 guess in a very general sense, is it fair to say this is
13 not the controversial project where we can expect a lot
14 of public input that would be opposed to this project?
15 Is that a fair statement?

16 MR. ACKEN: Mr. Chairman, yes, that's our
17 expectation. Susan could talk more about the Navajo
18 process. But, you know, we are talking about a
19 transmission line in an area close to other transmission
20 lines, the support of the owner of the property, a solar
21 field with, even though it is not part of the
22 application itself, you know, has certainly minimal
23 visual impacts to surrounding areas that would be of
24 concern like some other projects. And as Susan
25 mentioned, this is an area that is looking for

1 development such as this to offset some of their losses.
2 So no, we are not anticipating a lot of opposition.

3 CHMN. CHENAL: Okay. Very good.

4 All right. So we have discussed the project in
5 some, you know, in some general terms, and we have, you
6 know, Exhibit 1 that depicts the map. Let's discuss the
7 notice of this hearing, you know, posting and
8 publishing.

9 We have a Draft Notice of Hearing, which is
10 Prefiling Exhibit No. 2. And I don't remember, Bert, is
11 this what you drafted, or, Marie, did you draft this?

12 MR. ACKEN: We drafted this after our
13 preliminary prefiling conference and sent this to Marie
14 at the end of last week.

15 It is certainly tailored off of a typical notice
16 of hearing. There are a couple differences from what
17 you typically see. The first one, of course, is the
18 reference, you know, it says we are dealing with the
19 COVID situation and encouraging people to attend
20 remotely and making sure, though, that there are options
21 and availability for the public to participate in a
22 variety of forums. So that's different than what you
23 would see normally.

24 Another distinction is we are not proposing to
25 make the application available in any public locations.

1 Typically we would provide the application at ACC
2 Dockets and nearby libraries. ACC Dockets is not open
3 to the public. And the libraries that we reached out to
4 were either not open or not enthused about holding onto
5 a document that someone could come in and just review at
6 their leisure. So we are proposing instead to make the
7 application available online and then, for folks that
8 may not have access to the online version, that we will
9 provide a phone number for Susan's number and make a
10 commitment that we will provide hard copy applications
11 to anybody who needs them.

12 Those are kind of the key differences from what
13 you would typically see, but otherwise, you know, it is
14 a typical notice.

15 Oh, there is a third item. We did remove the
16 reference to a tour based on our earlier discussions
17 with the expectation that it would be difficult, if not
18 impossible, to do a tour and maintain the social
19 distancing protocols and other protections that would be
20 needed at this time.

21 CHMN. CHENAL: Okay. Yeah, I have looked at
22 this generally. I think it is, it is good.

23 Now, on page 2, line 23, there is a reference to
24 the project website. But is that website noted
25 anywhere? Is there a link to a notice of hearing?

1 MR. ACKEN: It is on, it is referenced the first
2 time on page 2, line 1. It is not showing as a
3 hyperlink for some reason. That hashknifesolar.com is
4 the project website. And Susan may know whether that is
5 live yet. It certainly will be by the time the
6 application is filed.

7 CHMN. CHENAL: Good. You are right. I am
8 looking for the blue, you know, link and I didn't see
9 it. But you are right, it is at line 1. Okay, very
10 good.

11 The other, then, was do we want to put in some
12 language about the COVID safety protocols, masks, in
13 terms of the public hearing itself. You know, we talk
14 about encouraging the public to participate by watching
15 or listening rather than attending in person. But if
16 they do attend in person, do we want to put in some --
17 address that -- I will certainly do that in the
18 procedural order, but, you know, those attend -- you
19 know, something like those attending in person are
20 required to social distance and wear masks, you know,
21 some language that at least addresses that?

22 MR. ACKEN: We certainly could do that. I don't
23 think that the suggestions or requirements, depending on
24 whether they are requirements or suggestions at that
25 time, to socially distance and wear masks will be

1 different than they are today.

2 Another option we could do, we could say, you
3 know, attendees, members of the public who plan to
4 attend in person to be aware that there will be safety
5 protocols such as X, Y, and Z, and that that will be
6 identified on the open meeting agenda. So that way it
7 gives us a little more flexibility with timing as to
8 what requirements may be at that time, depending on what
9 is going on in Coconino County at that time.

10 CHMN. CHENAL: That makes sense, Bert. That
11 makes sense. I would ask you if you could draft some
12 language and get it over to us. I think that makes some
13 sense.

14 Certainly if you have any thoughts on that as
15 well, or APS, I mean, you know, I view this hearing as a
16 group effort to get it right. And I just feel like, you
17 know, the more, the more we discuss it and have a
18 consensus the better. So I am certainly not taking
19 ownership -- I will take ownership of it, but I
20 certainly appreciate everyone's input to make it as best
21 as, you know, we can make it. So I would appreciate any
22 input that's important to put together on the language
23 of these documents to get it right.

24 So, Bert, if you would be kind enough to maybe
25 shoot it to everybody, you know, APS, obviously myself,

1 and Antonio, you know, I would appreciate it.

2 MR. ACKEN: Will do.

3 CHMN. CHENAL: So I mean everything else looks
4 good.

5 Now, if I am the public and I want to call in,
6 how do I do that?

7 MR. ACKEN: We don't have that on the notice of
8 hearing. Again, we are not in a position today to
9 provide that information. And, frankly, we had some
10 concerns about publishing that in a newspaper. It may
11 be having folks bomb it who are bored.

12 So our thought was, again, information like that
13 will be made available on the website. It would be on
14 the open meeting agenda. And it could be obtained by
15 calling Susan. So that again gives us more flexibility
16 as we approach the hearing to say what are our options,
17 what platform are we going to use, and things of that
18 nature to make sure that we provide options that are
19 going to work for the public. And I just didn't feel
20 comfortable putting it in a newspaper paper publication,
21 thinking that what happens if we need to change. I
22 would rather give us the flexibility today and make it
23 clear to the public how they can get that information
24 than put it in here now.

25 CHMN. CHENAL: Okay. And I agree with that. I

1 just wanted to have a little discussion.

2 The language is clear. It does say, you know,
3 after the bold language: The public is strongly
4 encouraged to participate by either watching or
5 listening.

6 The following sentence says: At least 24 hours
7 in advance of the hearing, information regarding online
8 and telephone hearing access will be posted on the
9 project website at, the website, and available by
10 calling Susan, and the number, which is Susan's number.
11 I think that makes sense under the circumstances.

12 MR. ACKEN: Yeah. And I would anticipate it
13 will also be on the open meeting notice. I mean we
14 don't say that here but it makes sense to include that
15 on the open meeting notice as well.

16 CHMN. CHENAL: Yeah, the agenda, right. Is
17 that --

18 MR. ACKEN: Yes, the open meeting agenda.

19 CHMN. CHENAL: So, okay, that's very good. Let
20 me get back to where my --

21 So I think, yeah, with the additional language
22 on maybe what we talked about with safety protocols, I
23 think the notice of hearing will be fine.

24 And then let's talk about publication of the
25 notice of hearing. Where do you intend to publish?

1 MR. ACKEN: Mr. Chairman, I am going to turn
2 that over to Randy to discuss the publication plan.

3 MR. SIMPSON: Yeah. Right now, there are three
4 newspapers that we intend to notice the hearings. And
5 that includes the Arizona Republic, which obviously is
6 the statewide newspaper; Arizona Daily Sun, which is
7 based in Flagstaff, and that's a regional newspaper that
8 serves that area; and then we have the local newspaper,
9 the Holbrook Tribune, which is obviously in Holbrook,
10 which is the county seat. We have been working with
11 them closely. So I think that is a pretty good range of
12 notices.

13 And each of them have slightly different
14 deadlines in terms of getting the information in to
15 them. For publishing, what it looks right now is, if we
16 are successful getting the application submitted, and we
17 would want to probably notice it, it looks like,
18 October 15th, because some of these newspapers only do
19 this once a week, so the Thursday seems to be kind of
20 the most limiting factor, and that's with the Holbrook
21 Tribune. But if we do that and we plan around that
22 15th, I believe that meets that 10-day window and then
23 puts us right, you know, in that 30-day range prior to
24 hearing roughly. So, you know, if we do that and tried
25 to shoot for that day, I believe we could meet all the

1 deadlines. And we would need to get information to
2 those newspapers between October 9th and October 14th
3 and we are going to hit that date. So that's kind of
4 our windows that we are working with.

5 CHMN. CHENAL: And what is your anticipated
6 filing date?

7 MR. ACKEN: Well, with that in mind, we are
8 looking at probably the 8th. And the 8th would be as
9 late as I would want to push it, because, as you know,
10 we have limitations at ACC Dockets.

11 And, Antonio, maybe that's something that, you
12 know, you can help us navigate as well. I would
13 certainly welcome any guidance or assistance there since
14 we have to provide witnesses in an in-person filing with
15 a limited window.

16 So we are thinking, if we file on the 8th,
17 Mr. Chairman, that gives you the 9th to file in that
18 narrow window the notice of hearing in order to make
19 that publication deadline. So that's what we are
20 looking at.

21 CHMN. CHENAL: And we will be able to do that, I
22 think. Get your draft, you know, say Monday sometime,
23 we can take a look at it and make sure it is, the notice
24 of hearing is ready to go. Because that's what you will
25 need back right away. And we can do that.

1 Right, Marie?

2 MR. SIMPSON: Yeah, I think that's pretty
3 critical. We are, you know, again, just making sure
4 this fits within the legal requirements, but if we want
5 to kind of target that 15th for publication in the
6 newspapers, that does mean that we would have to have
7 that notice submitted to the Holbrook Tribune on
8 October 9th. So that's a pretty critical deadline, I
9 think. Otherwise, since it is a weekly newspaper, we go
10 a full other week, and then that would push all the way,
11 I guess, back to, what, the 15th or something.

12 CHMN. CHENAL: Well, I just need to see a little
13 more language on the notice of hearing, I mean not much,
14 just what we talked about. And, you know, I think the
15 rest of it looks good to me.

16 So, you know, we can turn that around pretty
17 quickly, I mean very quickly. And then as soon as you
18 file it, well, we can turn it around in the sense we
19 will have it ready to go, and when you file, we can
20 pretty much, you know, immediately get it, get it filed
21 with the Corporation Commission in the docket.

22 I guess we just need a heads up as to when you
23 are actually going to file it so we can immediately
24 then, you know, turn around and get the notice of
25 hearing filed and back.

1 So if you want to do it before the 8th, that's
2 fine, the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th. So I
3 mean we will finalize the language Monday, the 5th. And
4 after that, you know, we are just waiting. So, you
5 know, if you want to file the 6th or the 7th, we will go
6 ahead and then get the notice of hearing back to you.
7 No use waiting until the 9th. Murphy's law, when you do
8 that, something bad is going to happen. So if you want
9 do it more quickly, we can accommodate that.

10 MR. ACKEN: Thank you, Mr. Chairman. I am
11 giving you the date that is kind of our outside date.
12 Obviously I hope that we can do it sooner than that.
13 But the logistics of finalizing the application,
14 printing, review, it may end up being on the 8th as kind
15 of a worst case.

16 And we will certainly coordinate with Dockets as
17 well to make sure that we know when someone will be
18 available to stamp it and docket it at that same time,
19 and that they know that both the applications as well as
20 your notice of hearing will be coming so that at least
21 we hope that we can have that aligned and coordinated
22 with them.

23 CHMN. CHENAL: Okay. That sounds good. Our
24 goal, my goal with Marie will be that we will, we will
25 have a final version of the notice of hearing by the end

1 of Monday. Okay? And then we will stand by to wait to
2 hear.

3 Let's talk about the signs and the location.
4 Randy, is that Exhibit, Prefiling Exhibit No. 3? Is
5 that the signage?

6 MR. SIMPSON: I will just pull that up here real
7 quick so I can speak towards it, but...

8 MR. ACKEN: And, yes, that's Prefiling No. 3.

9 MR. SIMPSON: Yeah. So we have proposed two
10 locations for the signs and then an alternate location.
11 The locations were selected largely because this Obed
12 Road is really the only way you can access the project
13 site. And then you have McLaws or Territorial Road that
14 runs east-west, and that connects between Holbrook and
15 Winslow. So you do get a little bit of traffic.

16 My personal observation is, having been out
17 there a number of times, most people seem to come from
18 the north heading south. I am not sure which direction
19 they go from there. But most of the traffic I observed
20 was on Obed Road.

21 So the locations that we have, you know, what we
22 are trying to do is, you know, find convenient locations
23 where, you know, they are reasonably close to the
24 alternatives we are proposing but also areas that they
25 could actually pull off the road and review the signs

1 and do that in a safe way.

2 This road is fairly narrow itself. This
3 particular location at the southwest corner of this
4 intersection of Obed Road, and then there is a two-track
5 road that leads east and west, has a shoulder to pull
6 off on as well as an approach that leads to a gate. So
7 I feel like that is a fairly safe location. It actually
8 is pretty much in line with the preferred alternative.
9 So I think that's one of the better locations.

10 The next location was down at the
11 interconnection of Obed and McLaws-Territorial Road.
12 Again, I think it captures most of the traffic that
13 would be entering, you know, from, you know, any given
14 direction. And there is also a little bit more of a
15 shoulder. It is not as good as this location but you
16 can pull off to the side of the road and get out of your
17 car and look at this sign in this location.

18 There is actually across the road, you would
19 have to walk across the intersection, there is a really
20 good area to pull off over there if somebody is
21 concerned about pulling off on the shoulder. But, you
22 know, this puts the location, I think, on the major
23 property owner's land as well so that the -- Aztec Land
24 owns most of this property. So it gets it situated, you
25 know, relative to the solar plant as well as the

1 alternative, the transmission line alternatives.

2 There was another location that we potentially
3 looked at. There is a communications facility that is
4 located here. We didn't feel like that one is quite as
5 good because it is not particularly any closer to the
6 actual alternative, but it seems to be kind of floating
7 out in no man's land here. So we felt like this was a
8 better option because you at least get traffic going all
9 directions here. But we wouldn't be opposed to that
10 location if somebody felt better about.

11 There is really no other way to get out into the
12 project area. This area is all fenced off and gated and
13 locked up. So without having landowner access, there is
14 really no way to get to any signs other than these
15 locations. So I feel like that's the best option.

16 CHMN. CHENAL: I like the green locations you
17 note there, the ones you proposed.

18 MR. SIMPSON: Yeah.

19 CHMN. CHENAL: I mean I don't know if there is
20 any east-west traffic on McLaws that would go, you know,
21 go east or west of Obed that would at least see the sign
22 and know about the project. So if you placed it north
23 of McLaws, you know, you missed that east-west traffic.
24 Someone would have to turn right on Obed and go up in
25 order to see the sign. So I kind of like the green --

1 MR. SIMPSON: Yeah, that's what we are thinking.
2 You do get traffic. This McLaws-Territorial actually
3 connects Holbrook to Winslow. So there is probably some
4 rural traffic that moves there. I didn't see as many
5 vehicles using that. But, again, my observation was
6 just a few different days out there, so it may get more
7 uses different times of the day. So I think it is the
8 best way to get it posted and more obviously located.

9 CHMN. CHENAL: Good. I think that's great. I
10 think that's great. I think that will work just fine.

11 Let's review quickly the affected jurisdictions
12 again. What are the affected jurisdictions? We talked
13 about this informally when we met once before but just
14 to get it on the record. Bert.

15 MR. ACKEN: It will be -- excuse me. It will be
16 Navajo County. And then we will also include State
17 Land. As you see on the, on that Prefiling Exhibit 3,
18 even though the project itself doesn't cross state land,
19 there is state land in the general vicinity. So we will
20 send notice to them as well.

21 CHMN. CHENAL: All right. Let's move on to the
22 evidentiary hearing itself. And I mean, just so the
23 record is clear, we have met before and discussed some
24 of, some of the logistics in this COVID environment.
25 And so we talked about basically kind of a hybrid

1 hearing where some people could appear remotely, like
2 the Zoom or some other platform, and others could attend
3 in person.

4 So, I don't know, Bert or Randy, do you want to
5 speak if you have better thoughts on how this is going
6 to come about technology-wise?

7 MR. ACKEN: So I can take a swing at that and
8 then turn it over to Randy for cleanup.

9 So we are looking at the High Country Conference
10 Center as the location for the actual physical component
11 of the hearing. You know, that's one the Committee is
12 familiar from a variety of hearings that had been held
13 there.

14 The nice thing about this current time period
15 that we have is there is good availability of space.
16 And so we can make sure that we are in a hearing room
17 that is larger than normal, than which you might
18 normally plan on having for a hearing in order to make
19 sure there is more than adequate social distancing for
20 those who do plan to attend in person.

21 And so our plan would be to make this so that if
22 the Committee as a whole, if they end up participating
23 in person, there would be plenty of social distancing
24 opportunities for them, as well as for the parties and
25 the parties' witnesses and the public, should members of

1 the public attend in person.

2 Again, we are envisioning a blended hearing, if
3 you will, so that, while we will have an in-person
4 component, members of the Committee, parties, witnesses,
5 and members of the public who either cannot or don't
6 feel comfortable coming in person will be able to get
7 the same experience that those in the room have. And so
8 we will have some platform, whether it is Teams such as
9 this or another one where each individual presenter will
10 have a laptop, the presentation that is shown in the
11 room will also be on the screens for observers online.
12 And the intent and the hope and the, certainly the goal
13 is to provide those who are watching or participating
14 virtually to have the same experience that those in the
15 room have.

16 I think we are still, as I mentioned earlier,
17 working out logistics on what that's going to look like.
18 As you might expect, there are a few moving projects
19 both with the venue, A/V options, and the actual
20 platform that we might use for the hearing, so... But
21 that's our intent and that's the goal and that's what we
22 are shooting for.

23 Randy, did I miss anything?

24 MR. SIMPSON: No. That's pretty good. And I
25 think you are right, Bert, things are coming together

1 quite well.

2 We had another meeting yesterday with the
3 conference facilities and we talked about a range of
4 subjects. One was room space an organization. They do
5 have their own COVID protocols that are in place. We
6 look to be utilizing the facility that's at least 7,000
7 square feet, possibly as large as 10,000. I think what
8 you will find, and we just got a draft of this layout
9 worked out yesterday but we need to make a few more
10 changes, but we are going to set this up pretty typical
11 to what you see with the Committee on recent hearings.
12 I have attended a few of those, so, you know, we know
13 what is needed there.

14 And the idea is we will have a dual screen
15 format, a fairly large horseshoe shaped setup. So we
16 will have plenty of room for Committee members, counsel,
17 and participants. And then we will have a small area in
18 the back where we will have sitting for up to 15, maybe
19 a few more people to attend in person. They do have a
20 limit of 50 people right now. So, you know, that could
21 get to be, you know, right up against the number
22 depending on how many people we have from the Committee
23 showing up and then the participants. So I think we
24 will want to kind of use some caution there when we
25 start getting the attendance list ironed out.

1 But they will set up tables that are individual
2 size side by each, but they are six foot wide -- or
3 long. So if you have a person sitting between in the
4 middle each of that table, you will have six feet
5 between every one, 50 people maximum. And then, you
6 know, we should have some pretty good elbow room.

7 And we will be working through some logistics on
8 audiovisual, but we have two different choices there.
9 We are working potentially to bring in the folks from
10 AzG&T, the Men in Black that have done this a lot. They
11 are working to get approval through the COVID protocols
12 that they have, but they have expressed interest in
13 doing that. And if for some reason that doesn't work
14 out, we are supposed to hear for firm next Wednesday, we
15 will shift gears and work exclusively with the facility
16 people at the conference center.

17 And they have secured some additional resources
18 that I think weren't in place the last time you did a
19 hearing up there, but they have more audiovisual
20 capabilities now. And they have worked to improve that.
21 They have got a quite nice sound system. We talked
22 about the integration of not only the in-person meetings
23 but the use of the Zoom platform. They have been
24 working through that on some other events they have
25 hosted. They seem pretty confident making that work so

1 we don't have any audio issues with, you know, dial-ins
2 versus in-person issues. So we are working through
3 that. We think we have a pretty good plan there.

4 So I think in the last few days things are
5 coming together quite nicely with the facility. I think
6 we are going to have the room we need and the technology
7 we need to pull it off.

8 CHMN. CHENAL: Great. Sounds encouraging. I
9 have the utmost confidence.

10 And I have been quick to point out that you guys
11 are kind of the guinea pigs here because there will be a
12 lot of people looking at how you do it. A few days ago
13 I woke up thinking it was just a normal day and got two
14 projects, and all of a sudden at the end of the day I
15 find out we have five that are going to be heard by the
16 Committee probably by the end of January, certainly by
17 the beginning of February. So, you know, this is, I
18 think, a good learning experience. That's why I think
19 it is great we are going to work together to get it
20 right. So that all sounds very good to me.

21 Obviously the standard question: Lodging will
22 be provide for those Committee members; financial
23 arrangements will be made with the Corporation
24 Commission, Bert, right?

25 MR. ACKEN: Yes, that's correct.

1 CHMN. CHENAL: We will not have a tour. But we
2 would like a robust, you know, flyover, maybe a little
3 more than normal. A lot of times these flyovers are,
4 you know, pretty quick, a minute or so. Maybe a little
5 more, I mean slow the plane down a little and kind of
6 let's do a little more complete look of it and at a
7 little slower speed to kind of get the full picture and
8 let people appreciate it. I mean some flybys, you know,
9 it is faster than a Mooney. Let's take it down to, you
10 know, slow Piper Cub speeds so we can see everything and
11 absorb it and understand it as we fly over it.

12 Let's -- go ahead.

13 MR. SIMPSON: Yeah. With respect to that, one
14 of the things that we are going to be doing in addition
15 to the flyover is we are going to incorporate some
16 static photography, that we have cameras, you know, on
17 the ground in the project area. You are going to see
18 some of those photos actually in the application when
19 you receive that. But we are going to incorporate that
20 into the video flyover so that it gives you both a sense
21 of what it looks like, you know, from an overall
22 perspective, but actually ground level we have got some
23 pretty good photos that I think will help a lot.

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

25 Just to go back to the hearing dates, because I

1 did want to talk about a prefiling, excuse me, a
2 prehearing conference date, and I know we have it set
3 for Monday, November 16th, the 17th, and the 18th as
4 necessary, is there any concern that we should go out an
5 extra day just in case, given Murphy's law? I just, you
6 know, I know that, not to -- just to have a little
7 insurance there, I just always like to have just a
8 little extra time.

9 I mean we don't know, you know, what technology
10 snafus there might be. We just don't know. And I would
11 just feel more comfortable maybe even having the whole
12 week, with the idea we are not going to get past
13 Wednesday, just in case. And the risk is on the
14 applicant there. And APS is kind of the beneficiary of
15 the CEC. I just, I throw it out there.

16 MR. ACKEN: So, Mr. Chairman, you know, we have
17 talked about this several times and the push-pull versus
18 paying for additional days that you don't need versus
19 having that flexibility. You know, and given what I
20 dealt with this morning with the technical difficulty, I
21 mean your point is well taken.

22 You know, I look at our template as the hearing
23 we held last year at this same location that we got done
24 by Wednesday afternoon with a tour that took up most of
25 Tuesday. So I think that's a fair amount of flexibility

1 for technical problems.

2 What I don't know is, you know, depending on APS
3 and Commission Staff, you know, their involvement. We
4 did not have any intervenor at that last hearing. And
5 so that could be -- add some time as well.

6 Obviously we are going to follow your lead. And
7 if you think, from a comfort level, it makes sense to
8 have one extra day, and the worst thing that happens is
9 you don't need it, I think that's, you know, that's a
10 Susan call. But the alternative is we would have to
11 come back later if we don't get it done.

12 CHMN. CHENAL: That's what we would have to do.
13 And I just have to tell you, with our schedule, we are
14 looking at into February before we would be able to
15 resume. So I think it makes sense to have an extra day
16 there and try to cut a deal with the hotel to say if we
17 don't need it, we can cancel and we don't have to pay
18 for it, or whatever. But I just, just throw that out.
19 I'd hate to see us get to Wednesday afternoon and not
20 get it completed.

21 And this is another thing. I do not like to be
22 with our Committee struggling to get the deliberations
23 and the CEC done in an afternoon. I just -- we have had
24 bad experiences with that. I much prefer to start out
25 in the morning to do the CEC deliberations and work

1 through it, which I would anticipate to be Wednesday
2 morning in this case. But if for any reason we got into
3 Wednesday, you know, after lunch, 1:00, 2:00, 3:00, I
4 would not want to do the deliberations at that point. I
5 would want to start the next day.

6 So just you tell me what you would like.

7 MS. INNIS: Chairman, Invenergy is happy to add
8 that Wednesday, I am sorry, to add the extra Thursday.
9 So we would have Monday, Tuesday, Wednesday, Thursday.
10 I think that's a good insurance policy to make sure we
11 get everything down and handle any hiccups that might
12 happen.

13 CHMN. CHENAL: Yeah. And that's really what
14 would happen. I agree with Bert 100 percent. This
15 would be Monday and Tuesday, no problem; deliberations
16 Wednesday morning, you know, get done, you know,
17 Wednesday probably, you know. But it is the technology
18 snafus. It is, you know, it is the things we can't
19 anticipate in this crazy environment of ours that might
20 throw us off a little. And I would just like to have
21 the flexibility.

22 So, you know, Bert, will you work on the notice
23 of hearing? If you could maybe add an extra day there.
24 We will do that to the agenda. Where else do we need to
25 do it? I think that makes sense.

1 So let's talk about a date for the prehearing
2 conference. Maybe we already talked about that, but I
3 don't remember what that date is.

4 MR. ACKEN: I don't think that we have. I will
5 pull up my calendar. And obviously if we had discussed
6 it, we didn't have APS or Commission Staff. So they
7 might have some restrictions on their availability.

8 So are you thinking the week of the 9th would be
9 the time to hold it?

10 CHMN. CHENAL: I think Monday, November 9th,
11 might work. Given this environment, I would like to not
12 make it too close to the hearing just in case we have to
13 work out something and we need another meeting, just --
14 you know.

15 MR. ACKEN: So that works for the applicant.

16 One question I have is, you know, typically when
17 there are multiple parties, you have the obligation to
18 exchange exhibits by the time of the prehearing. And I
19 am wondering if, you know, parties can agree that maybe
20 we have a little more flexibility on when we exchange
21 exhibits if we are making some last-minute changes so
22 that we still have that week of the 9th in order to work
23 on hearing preparation and testimony and exhibits and
24 even forms of CEC.

25 CHMN. CHENAL: Yeah, I think this -- I think

1 that's a given. If you want to do it on -- November 6
2 is a Friday, we could do it, or the 9th, or even the
3 10th. You know, if you want to do it on the 10th we
4 could do it. Probably I wouldn't want to go past the
5 10th.

6 And then, you know, we will -- I will let you
7 know that we will have a little more flexibility on, you
8 know, exhibits, witnesses, and forms of CEC given the
9 circumstances.

10 I will probably still put in the procedural
11 order the requirement to exchange, you know, the
12 summaries of the testimony and the exhibits and the
13 other documents that it normally requires, but I will
14 tell you we will allow some flexibility here if there
15 have to be changes after that given the circumstances.

16 So is the 10th, does that make sense? In the
17 afternoon, 2:00, say on November 10th, 2:00 p.m., does
18 that work for people?

19 MR. ACKEN: It works for the applicant.

20 MS. BENALLY: This is Linda. And it works for
21 me. Let me look to Jason.

22 Okay. Yes, APS is available on November 10th in
23 the afternoon.

24 CHMN. CHENAL: Antonio, does it work for you?

25 MR. ARIAS: Yes, Chairman, it works for Staff.

1 CHMN. CHENAL: Okay. So let's --

2 MS. COBB: Mr. Chairman, will it be via Zoom as
3 well?

4 CHMN. CHENAL: Yes.

5 MS. COBB: Okay.

6 CHMN. CHENAL: So, yes, we will do that by Zoom
7 as well.

8 And if we need to talk before then because of
9 something that comes up, just let me know and we will
10 meet. And if we have to meet after November 10th, we
11 will meet. So just know that we will, we will deal with
12 any problems that come up, because I do want to work out
13 a good procedure, not only for this hearing, but for
14 subsequent hearings.

15 Okay. I am going to review today the procedural
16 order and the agenda.

17 Marie, do you have time to make a few changes to
18 the agenda? You might have to piggyback some language
19 out of the notice of hearing into the agenda, and we
20 won't have that until Monday, you know, or Tuesday,
21 hopefully Monday. So we might have to amend or change
22 the agenda to piggyback onto the notice of hearing. But
23 I also want to get you the procedural order, and maybe
24 that will be Monday, and get input on that.

25 I don't -- I have never done that before. And I

1 think I mentioned that as well to Tucson Electric and Ed
2 Beck. He doesn't like a lot of the stuff in the
3 procedural order. He doesn't like a lot of conditions.
4 And I said this is not an opportunity to, you know, try
5 to make changes to take stuff away, Ed, this is only to
6 add to it or to modify something because of COVID and
7 the way this hearing is being conducted.

8 So I would like to do that in this case because,
9 again, I want to get the benefit of everyone's thoughts
10 so we kind of work on this as a team to get it right.
11 So I will do that as well. Marie will do that. But I
12 want to look to it one more time to see if there is
13 anything I need to add to the procedural order for the
14 COVID. And probably that's going to require some
15 language addressing the COVID protocols of some type.

16 I think -- public comment. We have the hearing
17 as we typically do that Monday evening. Normally we
18 like to allow people to give their comment during the
19 hearing when they show up, you know, after a break or
20 something so they don't need to stick around the whole
21 day.

22 So I guess this is for Randy. But if someone
23 wants to listen or join the meeting either by audio, I
24 don't know if there is going to be a video option or
25 not, but even by audio, is there a way that they could

1 signify that they would like to provide public comment,
2 we could take it out of order during the hearing at some
3 point?

4 MR. SIMPSON: Yeah. I mean the way the Zoom
5 technology works, you can have it set up so there is a
6 gatekeeper and that anybody that has a question has to,
7 you know, technically raise your hand, if you will. And
8 then the moderator could acknowledge that and then we
9 could allow them to do that.

10 Of course, if they are remote doing this, you
11 know, and they are dialed in the hearing, it should be
12 as easy as just admitting them to the meeting and let
13 them, you know, give their statements. And we can
14 interact appropriately there.

15 If they are at the actual facility, then we
16 would handle it the same way. We intend to have a
17 podium set up where they can approach the podium. What
18 I think we are going to have to have in that case,
19 either we are going to have another computer there that
20 they stand in front of so any participants can see them,
21 or we are going to have a camera that's set up
22 situationally where it can observe the entire meeting
23 facility so that, you know, again, somebody could make,
24 you know, a visual reference to that person so they
25 would understand that there is somebody speaking.

1 We talked with High Country yesterday. And I
2 don't think -- I don't know that we are going to go this
3 far with it, but they said they had a person that they
4 could bring in to actually man a camera where, you know,
5 the whole day that person would be busy shooting anybody
6 that's talking. Specifically they would zoom in on
7 them. I don't know if that's what I was envisioning as
8 much as having a camera set up to take advantage of
9 being able to see the entire room at once so they could
10 see the general interaction. I felt like maybe the
11 personal cam might be a little bit too much or a little
12 logistically distracting, if you will. So I am leaning
13 towards more just one camera set up strategically in the
14 room where the entire meeting can be viewed and it will
15 just run live for the whole session just like anybody
16 sitting in front of their computer would.

17 CHMN. CHENAL: Now, if a Committee member asks a
18 question, will their computer be open on them so they
19 will be, you know, they show up like that, or will it
20 just be this static camera?

21 MR. SIMPSON: No, I think what we are leaning
22 towards is having anybody that's participating be in the
23 meeting live with their Zoom camera.

24 So what we are hoping to do is, people that
25 attend the meeting in person, is we are probably going

1 to provide the laptops or pads for that. As a matter of
2 fact, that was of a discussion we had with High Country.
3 They do have computer facilities that they can set up
4 for us. But people who do it at home, obviously they
5 are going to need to find their way into the meeting
6 with their equipment because we don't have the ability
7 to distribute it, but, again, through the Zoom
8 technology. We hope that that goes fairly seamlessly
9 but, again, everybody should have a working camera and a
10 working laptop in order to do that.

11 CHMN. CHENAL: Okay. Sounds good. Sounds good.

12 All right. Just a couple more things. The
13 permit status, you have all the, Bert, you have all the
14 permits that are necessary other than the use permit, is
15 that correct? Other than the CEC, I mean to say.

16 MR. ACKEN: Correct. I defer to Susan on the
17 ASLD authorization for the solar array. For the gen-tie
18 that's correct.

19 MS. INNIS: That's correct.

20 CHMN. CHENAL: All right. The only other
21 question was, you know, iPads and, you know, things like
22 that. I think that's something you guys are still
23 working out, you know, what, what the members will have
24 to participate in the Zoom meeting, as, Randy, you just
25 said, so...

1 MR. SIMPSON: Yeah. And we will circle back
2 with Susan and Bert on this, but we had a conversation
3 with High Country late yesterday afternoon, and it did
4 look like they have done this in the past where they
5 have set these laptops up for other conferences. You
6 know, the question there becomes how many. And I think
7 they had a limited number.

8 So depending on how many Committee members we
9 have there and then how many participants we have in the
10 hearing, you know, that's kind of a number that we need
11 to settle in to be certain we have enough. I think we
12 can make it work. But I also think we are going to need
13 to rely on some people bringing their own hardware, so,
14 if we get a last minute person that shows up and we
15 don't have enough, they are going to have to dial up on
16 their own machine.

17 And I think, quite frankly, from our
18 perspective, like I would be happy, you know, and I am
19 sure Susan would be comfortable using her own computer.
20 I don't think we need a dedicated computer. But for
21 people that, you know, are participants in the hearing,
22 Siting Committee members or other people perhaps, we
23 might want to do some setup on that and have a little
24 bit of control how that works so their computers are
25 working functionally.

1 CHMN. CHENAL: Okay. I think that's an item
2 that you guys still continue to work on and determine
3 what the best solution is for it. I think most members
4 of the Committee have iPads. But, like I said, you may
5 want a different, you know, methodology to have control
6 over it, so...

7 MR. SIMPSON: Yeah. I think our plan was to
8 have approximately at least eight, if not more,
9 computers set up at the facility that we can distribute
10 if somebody doesn't have a computer that has the right
11 hardware or has technical difficulties. It looks like
12 they can provide more. We just need to give them a
13 number. But they had, they said they had eight
14 dedicated they could set up right now, no problem, with
15 nothing but this hearing material.

16 CHMN. CHENAL: So would it be helpful to know
17 which Committee members plan to attend in person and
18 what equipment they have?

19 MR. SIMPSON: Yeah. I believe that we should
20 start doing some kind of inventory on participants and
21 whether they plan to attend.

22 And the reason for that, Chairman, is it is
23 also, when we get the final facilities up and layout all
24 worked out, we also have to keep in mind we have a
25 limited number of people who can attend in person. So

1 if that's 50, I feel like we need to allow at least
2 maybe 10 or so for people from the public that may show
3 up. We don't know who that may be. It could be
4 literally people from the project area or maybe even
5 somebody from Flagstaff that just is curious about the
6 project. So I feel like we have got maybe between
7 Committee members and participants and, you know, all
8 the event coordinators that will be there, you know, we
9 probably only have, you know, between 10 and maybe
10 15 open slots there, if you will.

11 CHMN. CHENAL: We will have to make it work.
12 Might have to stagger people, might have them come back,
13 public come back, so...

14 MR. SIMPSON: Right now, on the Zoom platform,
15 which is what we are leaning on, Invenergy's license
16 agreement right now allows up to 100 people to
17 participate. I feel like that that's adequate.

18 But, you know, this is one of those things,
19 again, where social media nowadays, if this got blasted
20 out to the local social interest groups and, you know,
21 they hear solar project, who knows what we are going to
22 get. So we are going to have to be cautious about how
23 we -- you know, again, priorities are going to have set
24 for participating parties and then others after that, I
25 think. And that's how we will be the gatekeeper. But I

1 feel like a 100-person license gives us the flexibility
2 there.

3 CHMN. CHENAL: Well, if people want to give
4 comment on Monday night, and I am familiar with the
5 gatekeeper, so if I wanted to make a comment and I tried
6 to log on, what -- and there were already too many, you
7 know, we maxed out at the 100 limit, okay, between the
8 participants and, you know, everybody else and the
9 general public, and I called in, I guess I would receive
10 a notice that I couldn't log in? Or would -- and how
11 would that work? I mean, call back later? If some
12 people had already given their comments and logged off,
13 then that would open some spots for other people to
14 join?

15 I don't know if my question makes any sense,
16 but...

17 MR. SIMPSON: I know what you are saying. And
18 that was kind of the one concern I had, is management of
19 that. So the -- it does allow for things like that to
20 be included. And we can set up, you know, a
21 conversation window that is in the sidebar. And so, you
22 know, people can read statements that are in there. And
23 we can have statements posted that says, you know, if
24 for some reason you can't log on, you know, please
25 contact us this way and we will make sure we get you

1 logged on, you know, whether that be a limited number of
2 licenses or some kind of technical difficulties. But,
3 for example, if their video is not working or if they
4 just can't get in, we can provide at least some way for
5 them to contact us so we can know that they want to give
6 the comment and make appropriate arrangements.

7 CHMN. CHENAL: Okay. That sounds good.

8 And my question is not so much for this project.
9 I know there is a controversial, potentially
10 controversial project in Tucson that's going to be heard
11 by us, and I think there will be that level of interest.
12 And I am curious how we would handle it. And you never
13 know in this case, you just never know, like you said.

14 Okay. That sounds good. Some of this is just
15 going to have to be determined on the fly. And maybe we
16 are going to have to, during the course of the hearing,
17 provide notice of another time where we will
18 specifically take public comment for overflow. Maybe
19 that's something like that we have to do, think of
20 creative ways to handle it.

21 That's all I had. So let me ask if any of you
22 have any questions or concerns or things we should
23 discuss.

24 I will tell you right now I don't ever want to
25 play poker with Susan or Brad. It is just -- I got a

1 laugh out of you there. But you guys would be good
2 poker players because you don't give it away. It is a
3 compliment.

4 So anything else we should discuss?

5 MR. ACKEN: Mr. Chairman, not from the
6 applicant's standpoint. Thank you.

7 CHMN. CHENAL: Linda, anything?

8 MS. BENALLY: Thank you, Chairman. No, nothing
9 from APS at this point.

10 CHMN. CHENAL: Okay, good.

11 Antonio, any thoughts you have?

12 MR. ARIAS: Nothing really from Staff. I'll
13 just confirm the hearing days. Is it November 16th,
14 17th, and 18th?

15 CHMN. CHENAL: And we are going to put in the
16 19th as well.

17 MR. ARIAS: And the 19th as well. Okay. Thank
18 you. And nothing else.

19 CHMN. CHENAL: Okay. All right. Very good. So
20 I think, Antonio, you were going to just triple check,
21 although I can't imagine there was going to be a
22 problem, a single application for two CECs but for the
23 same applicant, there won't be a problem with that.

24 MR. ARIAS: Yes, yes. I am going to confirm
25 that right after this meeting.

1 CHMN. CHENAL: Yeah. And you can cite to
2 Case 177. I think that's where that happened.

3 MR. ARIAS: Okay, thank you.

4 CHMN. CHENAL: Anything else?

5 MS. COBB: Mr. Chairman, if everyone can just
6 send me an email, that way I can send out the Zoom
7 notification for our prehearing conference on
8 November 10th. That way I have everyone's contact
9 information. I think I have most everyone's. But just,
10 if everybody can send me an email, it is just Marie,
11 M-A-R-I-E, dot Cobb, C-O-B-B, at azag, like George, dot
12 gov. That way I can make sure everybody gets
13 notification.

14 I also wanted to mention I have taken a poll of
15 the Committee regarding their preferences whether to
16 attend in person or virtually. I am still waiting to
17 hear back from Member Gentles and Member Drago.

18 I just sent them an email asking them for their
19 preference. But, with the exception of Mr. Villegas,
20 everyone is preferring to attend in person. But Member
21 Villegas is not planning to attend this hearing anyway.
22 So, so far, we have -- one, two, three -- seven
23 Committee members that have indicated they will be
24 attending in person. I am just waiting on two
25 additional ones. And I will update as soon as I have

1 those answers.

2 CHMN. CHENAL: Is Member Villegas not attending
3 or is he just not attending live?

4 MS. COBB: He is not attending.

5 CHMN. CHENAL: Okay.

6 MS. COBB: He is not available that week.

7 CHMN. CHENAL: Okay. So, Colette, is there
8 anything you -- any thoughts, recommendations you have
9 for us?

10 (An off-the-record discussion ensued.)

11 MR. SIMPSON: I did talk to the High Country
12 folks about that. And, you know, one of the things we
13 did tell them, the reason we wanted to bring in the
14 outside vendor was because of their familiarity with the
15 Committee. I think we are going to make that happen.

16 The other thing that he did mention, because we
17 know that when you have both an in-person sound system
18 running and everybody running on computers, you can get
19 feedback, and so there is concern about that, he said
20 that they worked through that issue and that what they
21 intended to do is they will get the sound board hooked
22 up to the audio system that's actually in the conference
23 center, which is a fairly high-end system, fairly custom
24 system. And so everything will be piped through that
25 common system. So you won't be running two speakers and

1 two sets of microphones, you know. And that should be
2 resolved. And they worked through that recently in some
3 other events they have hosted.

4 Honestly, that was one of the things I was most
5 concerned about, again, is compatibility between what
6 you are doing in person and what you are doing
7 virtually. I talked to Men in Black about that. They
8 did say that, you know, one way to handle that is to,
9 the people attending in person would be required to wear
10 headphones, because then you won't have any sound coming
11 back and feeding through two different systems. But
12 what the guy at High Country said, that if you do it
13 through their system, you get everything piped through
14 there, that should eliminate that problem. And so we
15 are probably going to go up there and do some testing in
16 the next week or so to make sure that works.

17 And then he also asked if, if we wanted to have
18 the event recorded. And I know in essence that's what
19 you are doing. But they have, I guess, ways of
20 recording the information as well. And I don't know if
21 that's something that you want to do or not.

22 CHMN. CHENAL: I don't think that's necessary.
23 I mean if someone wants to, but we don't do that. We
24 have never done that. So I don't think --

25 MR. SIMPSON: And that's kind of how I answered.

1 I don't think there was any legal reasons that we would
2 need to do that. And I said as long as the technology
3 is working, the court reporter is the record. And, you
4 know, obviously all the presentations audiovisual, that
5 will be submitted to Docket anyway, so...

6 CHMN. CHENAL: Right. We will be good with
7 that.

8 MR. SIMPSON: Okay.

9 CHMN. CHENAL: All right. So --

10 MR. SIMPSON: Yeah, with that, too, so I am
11 going to provide them some comments back on the room
12 layout.

13 And just for my knowledge, again, I am pretty
14 familiar with what you have been doing recently, and
15 having been a part of a number of these in the past, I
16 think I have a pretty good idea how to make it work, do
17 you want, Colette, do you want to be centered in the
18 middle of the horseshoe shape for your positioning? I
19 believe that's where you have been in a lot of the cases
20 recently. Is that what your preference is?

21 THE REPORTER: Yes.

22 (An off-the-record discussion ensued.)

23 MR. SIMPSON: That's what I think I was going to
24 have them do, is kind of bend in one of the corners of
25 the horseshoe shape that's closest to the screen. And

1 that would give you that exposure to the balance of the
2 horseshoe. Because we have these physical distancing
3 requirements, it is going to, I think, allow us to do
4 that probably easier and give you more room so you can
5 see the whole room.

6 THE REPORTER: Okay.

7 MR. SIMPSON: And then, as far as the public
8 comment podium, Chairman, do you have a preference where
9 that is again? I think I was thinking probably the
10 opposite corner of where Colette would sit. So, you
11 know, we would have a public comment essentially at each
12 corner of the screen, and then the court reporter at the
13 other corner, and then the horseshoe shape where all the
14 participants would be, you know, in a 270 degree kind of
15 configuration around that.

16 CHMN. CHENAL: That's fine.

17 MR. SIMPSON: And then audience behind there.

18 CHMN. CHENAL: I think that's fine.

19 MR. SIMPSON: Okay. What I will do then, I will
20 have them redraft this drawing. There are a few things
21 that need to be changed on that. And then I will send
22 it to Bert. And he can work through you guys to get one
23 last look at it so you feel you are comfortable with
24 that before we go with it.

25 CHMN. CHENAL: Okay. All right. Anything else?

1 (No response.)

2 CHMN. CHENAL: All right.

3 MR. ACKEN: No, thank you.

4 MS. COBB: Mr. Chairman, I have just one quick
5 question.

6 On, I think it was Exhibit, I want to say -- it
7 was the map with the signs. I think it was 3. Yes.
8 Has there been any thought to putting any signs along
9 I-40?

10 MR. SIMPSON: We didn't, you know, we didn't
11 consider that directly. It is a -- it is interesting.
12 I-40, it is difficult to get off I-40 and get to the
13 project site. You have to take the off-ramp and then
14 double back through the area. So if you are not
15 familiar with it, if you are not somebody probably
16 local, I don't know that you are going to have an easy
17 time getting out there anyway.

18 But the other thing with that is, when you get
19 off the interstate, immediately you go into some roads
20 that are not in very good shape. So the public
21 accessibility is somewhat limited. I mean you do -- if
22 you go down the right road, you get a good road. If you
23 go down the wrong one, you get a really horrible one.
24 So it would be difficult to do it there and actually do
25 it in a way I think people would be able to react to it.

1 CHMN. CHENAL: I don't think it is a good idea.
2 I just think, I know people slow down to see the sign to
3 be able to read it. Going 75, 85 miles an hour, you are
4 just asking for trouble. I just think the people that
5 are going to Albuquerque could probably care less about
6 it. It is the local people that are impacted. And they
7 will see it on the way, the signage that you have got.
8 I think that's good enough.

9 And I don't know that we put signage on an
10 interstate anyway. And getting the permission, the
11 right-of-way, I think that just -- I am concerned about,
12 yeah, I am just very concerned about that. I think the
13 signage is good.

14 Between the publications and the signage I think
15 people know about this project. I think the people that
16 will be impacted will know about it.

17 All right. I am almost afraid to ask. Is there
18 anything else?

19 MS. COBB: No more.

20 CHMN. CHENAL: Okay. Going once. Going twice.

21 All right. Thank you, everyone. We will see
22 you at the prehearing conference. And, again, if there
23 is something that comes up, you know, let us know. If
24 we have to get on another call, we can do it.

25 In the interim, we will be reviewing the notice

1 of hearing on Monday. And I will be looking at the
2 documents. We will be getting some documents out to you
3 to look at. Okay?

4 So I appreciate everyone's cooperation. And I
5 think this was a very good meeting. And I am very
6 confident this thing, this hearing will go off very well
7 without any glitches. So good. All right?

8 Well, this meeting is adjourned. And thank you,
9 everyone, for participating.

10 (The proceeding concluded at 12:35 p.m.)

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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)

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13 ethical obligations set forth in ACJA 7-206(F)(3) and
14 ACJA 7-206 (J)(1)(g)(1) and (2). Dated at Phoenix,
15 Arizona, this 5th day of October, 2020.

16 

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

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