

1 BEFORE THE ARIZONA POWER PLANT LS-352

2 AND TRANSMISSION LINE SITING COMMITTEE

3

4	IN THE MATTER OF THE)	DOCKET NO.
4	APPLICATION OF PINAL COUNTY)	L-21314A-24-0144-00233
	ENERGY CENTER, LLC, IN)	
5	CONFORMANCE WITH THE)	LS CASE NO. 233
	REQUIREMENTS OF ARIZONA REVISED)	
6	STATUTES 40-260 ET. SEQ., FOR A)	
	CERTIFICATE OF ENVIRONMENTAL)	
7	COMPATIBILITY AUTHORIZING THE)	
	CONSTRUCTION OF A 480 MW)	
8	NATURAL GAS-FIRED, SIMPLE)	PREFILING CONFERENCE
	CYCLE, PEAKING POWER GENERATING)	
9	FACILITY LOCATED NEAR CASA)	
	GRANDE, ARIZONA, IN PINAL)	
10	COUNTY)	
	_____)	

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At: Phoenix, Arizona

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Date: June 24, 2024

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Filed: July 9, 2024

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

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(Pages 1 through 14)

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By: Jennifer Honn, RPR
Arizona CR No. 50885

1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Power Plant and Transmission Line Siting
4 Committee, commencing at 3:04 p.m. on June 24, 2024, with
5 all participants appearing via videoconference.

6

7 BEFORE: Adam Stafford, Chairman

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9 APPEARANCES:

10 For the Applicant:

11 Jason Moyes, Esq.
12 Moyes Sellers & Hendricks LTD.
13 1850 North Central Avenue
 Suite 1100
14 Phoenix, Arizona 85004

15

ALSO PRESENT:

16

 Julie Larsen, paralegal with Mr. Moyes
17 Mark Thompson, Pinal County Energy Center LLC
 Kenda Pollio, kp environmental
18 Sarah Justus, kp environmental
 Tod Brewer, Assistant to Chairman Stafford

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1 CHMN STAFFORD: Now's the time set for the
2 prefiling conferencing for Project Bella.

3 We'll start with taking appearances.

4 Mr. Moyes.

5 MR. MOYES: Good afternoon, Mr. Chairman.
6 I'm Jason Moyes with the law firm of Moyes, Sellers, &
7 Hendricks representing the applicant Pinal County Energy
8 Center LLC.

9 CHMN STAFFORD: And who do you have with
10 you today?

11 MR. MOYES: With me today we have Ms. Kenda
12 Pollio from the environmental firm kp environmental.
13 Also working with her is Sarah Justus.

14 And I believe that's everyone from our --
15 right, Kenda, today?

16 MS. POLLIO: Correct. From kp, yes.

17 MR. MOYES: Okay.

18 MR. THOMPSON: I'm also on, Jason.

19 MR. MOYES: Sorry, Mark. I didn't see your
20 name.

21 And representing the applicant itself,
22 Mr. Mark Thompson.

23 CHMN STAFFORD: All right. Now, has there
24 been any public interest so far in this application? Do
25 you think there's going to be any intervenors?

1 MR. MOYES: We don't yet know in light of
2 the recent proceedings at the Commission. No one has
3 told us outright that they plan to intervene in our case
4 yet.

5 CHMN STAFFORD: And do you have any maps or
6 documents to enter for exhibits for this proceeding?

7 MR. MOYES: No. We won't enter any right
8 now, but we will attach those to the draft notice of
9 hearing that I'll submit to you afterwards.

10 CHMN STAFFORD: Okay. So -- okay, just
11 submit a draft notice of hearing to us.

12 Now, what's the publication -- when's your
13 file date?

14 MR. MOYES: This Friday, June 28.

15 CHMN STAFFORD: And then so what -- what
16 would be your publication dates, then?

17 MR. MOYES: We were planning to publish on
18 July 4 and July 6.

19 CHMN STAFFORD: And that would be in the
20 Arizona Republic, then, or other paper?

21 MR. MOYES: No, it is the -- remind me the
22 name of the paper, Sarah? Casa Grande Dispatch.

23 MS. POLLIO: Thank you. You got it.

24 CHMN STAFFORD: So what are the affected
25 jurisdictions for this application?

1 MR. MOYES: The only affected jurisdiction
2 actually touching the project site is Pinal County.

3 CHMN STAFFORD: So then looking at the
4 notice. It's only Pinal County. Okay.

5 And then so what about signs for the
6 project? Usually the applicant has, like, a map that
7 shows where they're planning on putting up signs to
8 notify the public because almost nobody sees the
9 publication in newspapers.

10 MR. MOYES: Right. We do have signs that
11 are all but ready to go and are awaiting the docket
12 number. Once we get that out to be filed Friday, we plan
13 to have multiple signs up surrounding the project within
14 a week of the filing.

15 CHMN STAFFORD: How many signs?

16 MR. MOYES: What did we settle on, Kenda?
17 Four signs?

18 MS. JUSTUS: I believe we settled on three
19 signs. Three sides of the property with a fourth not
20 really being accessible.

21 MS. POLLIO: So we are putting one on all
22 the road frontages on three different sides, correct.

23 CHMN STAFFORD: So one side is
24 unacceptable -- inaccessible, I mean?

25 MS. POLLIO: It does -- it has a wash. And

1 we can create a map -- and, Jason, I can get that to
2 you -- that shows kind of where those are. But there's
3 no public access, and there's kind of like a drainage
4 ditch/wash on that side, so there's really not any kind
5 of frontage.

6 MR. MOYES: So the three sides of the
7 project that are publicly accessible, Mr. Chairman, will
8 have signs.

9 CHMN STAFFORD: Okay. And where will the
10 hearing be?

11 MR. MOYES: At the Francisco Grande Hotel &
12 Golf Resort. Is that the full name?

13 MS. POLLIO: Francisco Grande, yes.

14 CHMN STAFFORD: And that's in?

15 MR. MOYES: That's located at 12684 West
16 Gila Bend Highway in Casa Grande.

17 CHMN STAFFORD: Okay. And so what's the --
18 okay, location.

19 How many -- and the hearing date would be
20 what, Tod?

21 MR. BREWER: Thank you, Mr. Chairman. It's
22 scheduled for August the 12th through the 16th. And
23 prehearing conference is scheduled for August the 6th at
24 three p.m.

25 CHMN STAFFORD: That's going to be -- okay,

1 good with dates.

2 So there'll be lodging for the out-of-town
3 committee members in Casa Grande?

4 MR. MOYES: Yes.

5 CHMN STAFFORD: Okay. Now, what about a
6 tour?

7 MR. MOYES: The hearing location is very
8 close, just a couple of miles away from the project site.
9 So if the Committee determines it would like a tour, we
10 can certainly make that happen.

11 The site right now is just farmland, so
12 there's not much to see. But if they wanted to take a
13 short drive to see the project site, we can certainly
14 accommodate that.

15 CHMN STAFFORD: Okay. So typically you
16 submit a plan for a tour at the prehearing conference,
17 file with docket control. I think we could do --
18 typically, we'd take the tour -- the hearing will start
19 on that Monday. The tour would be the following -- the
20 Tuesday first thing in the morning to start, we'd do
21 that. So go ahead and if you could prepare a plan and
22 agenda based on that.

23 I'll take the temperature with the
24 Committee before we end the first day to make sure we're
25 still going to take the tour or not to give you enough

1 time that if they decide they don't want to do one, then
2 you don't have to have the bus show up and have nobody
3 get on it.

4 MR. MOYES: Right.

5 CHMN STAFFORD: Prehearing conference set.
6 Let me just ask: Any litigation or
7 disputes?

8 MR. MOYES: Not that we're aware of.

9 CHMN STAFFORD: Prepare a procedural order.
10 Okay.

11 And per procedural order, you'll have to
12 provide the draft CEC by the prehearing conference.

13 So we'll do the typical public comment at
14 5:30 on that Monday. So far, you haven't received any
15 feedback on this? You don't anticipate a lot of public
16 comment?

17 MR. MOYES: We've held one public open
18 house at the Francisco Grande, the same location for the
19 hearing. We had quite a robust public attendance, about
20 70 people showed up. We are holding a second event in
21 July. There likely will be a large public comment
22 turnout, Mr. Chairman, as would be expected anytime
23 you're constructing a new power plant, a new -- location.

24 CHMN STAFFORD: Now, are there any public
25 officials planning on making public comments that you're

1 aware of that you --

2 MR. MOYES: Not yet.

3 CHMN STAFFORD: Okay. So what's the permit
4 status? Do you need a permit from the County? Is that
5 all you're looking at? You don't have any federal or
6 state land?

7 MR. MOYES: We need an air permit. We need
8 a zoning change. A comprehensive land use change. And
9 those processes are all ongoing concurrently.

10 Actually, the air permit has already been
11 granted.

12 Correct me if I'm wrong, Mark, if there's
13 anything else I'm leaving out.

14 MR. THOMPSON: That is -- that's correct.
15 The air permit was issued on June 17.

16 CHMN STAFFORD: June 17, okay. The other
17 two are pending, you said?

18 MR. MOYES: Correct.

19 MR. THOMPSON: That's correct. We filed a
20 major amendment application with Pinal County per their
21 docket -- per their calendar process in late May, and
22 that is running concurrently to this process.

23 CHMN STAFFORD: Okay. And then so you'll
24 have the same -- using Peaks Audio for the Wi-Fi set up
25 for tablets and all the stuff for members to attend in

1 person and remotely and have access to all the exhibits
2 and whatnot?

3 MR. MOYES: That's correct.

4 CHMN STAFFORD: Okay. And what was the
5 amount of filing fee for this one?

6 MR. MOYES: \$10,000.

7 CHMN STAFFORD: Okay. So that's a new
8 generation site and new transmission site; correct?

9 MR. MOYES: It's a new generation site
10 only. There's existing transmission 500kv line that
11 crosses right through the project, so we will not be
12 asking for a CEC regarding the transmission.

13 CHMN STAFFORD: Okay. Plant only. All
14 right.

15 Commission's obligated by the statute to
16 pay the cost of reporting and transcribing application
17 hearing as well as the actual and necessary expenses
18 incurred by the Committee in connection with their
19 participation in the committee meeting from the filing
20 fee. The costs and fees exceeding the amount of an
21 applicant's fee may, with the applicant's consent, be
22 incurred by the Committee and charged to the applicant.
23 Does the applicant consent to pay the Commission those
24 costs in excess of the filing fees?

25 MR. MOYES: We do, Mr. Chairman.

1 CHMN STAFFORD: It's \$10,000. You have a
2 decent shot of that actually coming under that.

3 MR. MOYES: It might be the first that I've
4 seen.

5 CHMN STAFFORD: All right. So we have the
6 transcript turnaround is three days' time.

7 Anything else we need to talk about the
8 hearing or any other issues?

9 MR. MOYES: For the start date -- or start
10 time, rather, Mr. Chairman, I presume as normal course we
11 would start at one p.m. on the first day. And then do
12 you want nine a.m. or 9:30 a.m. on the subsequent days?

13 CHMN STAFFORD: Nine a.m. on the subsequent
14 days.

15 MR. MOYES: Okay. And one final question.
16 Would you like us to deliver a hard copy of the
17 application to your office or just an electronic copy?

18 CHMN STAFFORD: A hard copy, please. We
19 keep one hard copy here at the attorney general's office
20 for records.

21 MR. MOYES: Separate from the ones that the
22 Commission receives; correct?

23 CHMN STAFFORD: Right. I'm not entirely
24 sure what happens to all the copies at the Commission.

25 MR. MOYES: Okay. We will --

1 CHMN STAFFORD: I hoped it would get to
2 rulemaking and eliminate this whole 25 paper copy
3 nonsense shortly. Well, I guess it won't be shortly, but
4 in the near future.

5 MR. MOYES: All right. We will deliver one
6 to your office as well, then, on Friday.

7 CHMN STAFFORD: Excellent. Send it to the
8 Palm building. I think that's the mailing address they
9 have, anyway.

10 MR. MOYES: I'll connect with Tod offline
11 to get that.

12 CHMN STAFFORD: Okay. He'll make sure it
13 goes to the right place.

14 All right. And then is there anything else
15 we need to cover, Tod?

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

17 CHMN STAFFORD: All right. Anything else,
18 Mr. Moyes?

19 MR. MOYES: I believe that's it.

20 Kenda, did I leave anything else out that
21 we talked about earlier?

22 MS. POLLIO: We are good. Thank you very
23 much.

24 CHMN STAFFORD: Okay. All right. Well, I
25 look forward to seeing your filing on Friday.

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And, with that, we can go off the record.
(Proceedings concluded at 3:17 p.m.)

