

1 BEFORE THE ARIZONA POWER PLANT LS-375
2 AND TRANSMISSION LINE SITING COMMITTEE
3

4 IN THE MATTER OF THE) DOCKET NO.
5 APPLICATION OF ATLAS NORTH,) L-21322A-24-0208-00235
6 LLC, IN CONFORMANCE WITH THE)
7 REQUIREMENTS OF ARIZONA) LS CASE NO. 235
8 REVISED STATUTES § 40-360, ET)
9 SEQ., FOR A CERTIFICATE OF)
10 ENVIRONMENTAL COMPATIBILITY) PREFILING CONFERENCE
11 AUTHORIZING THE ATLAS NORTH)
12 GENERATION TIE LINE PROJECT,)
13 LOCATED IN LA PAZ COUNTY,)
14 ARIZONA)
15)

11 At: Phoenix, Arizona
12 Date: August 30, 2024
13 eFiled: September 13, 2024
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16 REPORTER'S TRANSCRIPT OF PROCEEDINGS
17 (Pages 1 through 15)
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INDEX TO EXHIBITS

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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, commencing at 1:01 p.m. on August 30, 2024,
5 with all participants appearing via videoconference.

6

7 BEFORE: ADAM STAFFORD, Chairman

8

9 APPEARANCES:

10 For the Applicant:

11 ALBERT H. ACKEN
12 Acken Law
13 111 East Dunlap Avenue
14 Suite 1-172
15 Phoenix, Arizona 85020

16

17

ALSO PRESENT:

18

19 Nicole Williams, WestLand Resources
20 Brian Lindenlaub, WestLand Resources
21 Kimberly Otero, WestLand Resources
22 Patrick Shim, 174 Power Global
23 Erin Bibeau, 174 Power Global
24 Tod Brewer, assistant to Chairman Stafford

25

1 CHMN STAFFORD: All right. Let's go on the
2 record.

3 Now is the time set for the prefiling
4 conference for Atlas North gen-tie line project. Let's
5 take appearances.

6 Mr. Acken?

7 MR. ACKEN: Good afternoon, Mr. Chairman.

8 Bert Acken of Acken Law on behalf of the
9 applicant Atlas North, LLC. With me is Patrick Shim from
10 174 Power Global, the applicant; Erin -- I'm not sure how
11 to pronounce your last name, apologies -- Bibeau, with --
12 also with 174 Power Global. And then you have Brian
13 Lindenlaub, Kim Otero, and Nicole Williams on behalf of
14 WestLand, who is the environmental consulting team that's
15 done the heavy lift on preparing the application.

16 CHMN STAFFORD: All right. Has there been
17 any public interest in the project so far?

18 MR. ACKEN: Mr. Chairman, no. This project
19 is in the same general location as three others that have
20 gone to the committee and Commission in the recent years
21 starting with (indecipherable) --

22 THE COURT REPORTER: I'm sorry, say it
23 again.

24 MR. ACKEN: Cielo Azul -- C-I-E-L-O; Azul,
25 A-Z-U-L -- which was a Ten West Link project. 174 Power

1 Global brought the Atlas project that's interconnecting
2 there. And then also an affiliate of Copia brought
3 Centennial Wash, also connecting into Cielo Azul. As is
4 this project that we're bringing before you now.

5 This is a very, very remote area of La Paz
6 County along Interstate 10. There's no residents for many
7 miles.

8 CHMN STAFFORD: All right. You have a
9 number of exhibits to introduce, some maps for us?

10 MR. ACKEN: I do.

11 And so for Jill, I want to mark as --
12 Exhibit 1 will be the Word version of the notice of
13 hearing along with Exhibit A, which is the black-and-white
14 map. That's our proposed notice of hearing.

15 We will make -- Exhibit 2 is the overview
16 map, which I've labeled "A3 Proposed Route,"
17 (indecipherable due to Zoom connection) lay of the land of
18 where this project is.

19 THE COURT REPORTER: I'm sorry, you kind of
20 beeped out a little bit after A3 Proposed Route.

21 MR. ACKEN: That provides a general location
22 of the project, if the chairman wants to get a sense of
23 exactly where that project is located.

24 Exhibit 3 is our proposed sign location map,
25 which is labeled "Atlas North Notice Sign Proposed

1 Locations."

2 And then we also have a signage hearing
3 notice, which is the proposed text for signs.

4 And I am seeing that I messed up. I sent
5 you the notice of affected jurisdictions instead of the
6 notice of hearing. I sent the notice of hearing
7 yesterday. I will resend that, but I -- I want the notice
8 of hearing to be the exhibit, not the notice of affected
9 jurisdictions. So I'll send that.

10 CHMN STAFFORD: All right, I have that.
11 Send what you sent to me to the court reporter.

12 MR. ACKEN: Will do.

13 CHMN STAFFORD: Okay. All right. Well,
14 those exhibits are admitted.

15 Now, for the publication, which newspapers
16 is it going to be in?

17 MR. ACKEN: It will be the Republic, Arizona
18 Republic. Two publications in the Republic. It's hard
19 with the regional papers here. They only publish weekly,
20 little distribution. So we're going to go in the Republic
21 for this one.

22 CHMN STAFFORD: And what will be the
23 publication dates?

24 MR. ACKEN: We don't have it set. We have
25 good flexibility so we're not -- I don't have a great

1 sense of urgency like we do on some of these where we have
2 to have that notice of hearing turned right away. Because
3 with the Republic, you know, we should be able to get --
4 Let's say we are planning to file Tuesday. We get the
5 notice of hearing on the same day or the day after, I
6 think we can publish by the end of the week or certainly
7 the -- early the following week to meet our two in ten
8 days.

9 CHMN STAFFORD: Okay, excellent.

10 So the notice of affected jurisdictions is
11 La Paz County and the Arizona State Land Department?

12 MR. ACKEN: That's correct.

13 CHMN STAFFORD: And we're doing the hearing
14 at the Commission.

15 MR. ACKEN: Thank you for accommodating us
16 on that. There -- there really isn't anything anywhere
17 near this project. I think Cielo Azul held -- held their
18 hearing in Parker. Atlas and I think Centennial Wash were
19 held in Goodyear. There is nothing near it, so we
20 appreciate the accommodation of doing it at the
21 Commission.

22 CHMN STAFFORD: Yeah, as long as they have
23 the hearing rooms available you can use them.

24 MR. ACKEN: Right.

25 CHMN STAFFORD: All right. And then so the

1 hearing date, we're looking at 9 -- No, it's October. Is
2 it October 6th?

3 MR. ACKEN: I think we are starting this one
4 on the 15th. And then we have public comment that
5 evening, and go into the 16th.

6 CHMN STAFFORD: Right. 15th. So we're
7 starting 9:00 a.m. that Tuesday. And you'll have --

8 MR. ACKEN: Yes.

9 CHMN STAFFORD: Okay. And you will have
10 lodging for the out-of-town committee members?

11 MR. ACKEN: We will. I haven't scheduled
12 that yet. It's Phoenix. I'm not too worried about
13 finding lodging. But if there's a preference for location
14 or a sense of how many of them will need it, by all means
15 have Tod let me know.

16 CHMN STAFFORD: Okay.

17 MR. ACKEN: Otherwise we'll line something
18 up.

19 CHMN STAFFORD: All right. And you'll have
20 the hearing link information by the prehearing conference
21 date; correct?

22 MR. ACKEN: Well, good question. Are we
23 going to be using the Commission's AV team or should I use
24 Peaks for this?

25 CHMN STAFFORD: We can use the Commission.

1 You will have to get with them over there to coordinate.

2 MR. ACKEN: Okay. I'll do that.

3 CHMN STAFFORD: Because it was Mike I think
4 that you worked with before when we did the ones in the
5 hearing room. It will be a better setup because it's the
6 hearing -- it's the downstairs hearing, not the upstairs
7 conference room.

8 MR. ACKEN: Oh, great. Okay. Yeah, I'll
9 coordinate with Mike.

10 CHMN STAFFORD: Okay. All right. There is
11 not going to be a tour, so I don't think we need to have a
12 plan for a tour. Because a tour would just kind of be
13 counterproductive to drive all the way out there from the
14 Commission to look at anything.

15 MR. ACKEN: Yes. You're looking at an
16 hour-and-a-half drive to get to it from Phoenix. So
17 there's not much to look at out there. So we're going to
18 have robust visuals, simulations, and a virtual tour. We
19 understand that since we're not doing the tour we better
20 have good simulations, and we will.

21 CHMN STAFFORD: Okay. Tod, can you make a
22 note of that. We'll need to adjust the procedural order
23 to not include the standard preparation for tour language.

24 MR. BREWER: I will, Mr. Chairman.

25 CHMN STAFFORD: And what is our -- what's

1 our prehearing conference date? Tod, do you have that?

2 MR. BREWER: I do. Give me just one moment.

3 We have this scheduled for October the

4 3rd --

5 CHMN STAFFORD: All right.

6 MR. BREWER: -- at 1:00 p.m.

7 CHMN STAFFORD: All right. And the file

8 date for the application you're looking at, Mr. Acken?

9 MR. ACKEN: Tuesday.

10 CHMN STAFFORD: And the date is 9 --

11 MR. ACKEN: (Indecipherable due to Zoom
12 connection.)

13 THE COURT REPORTER: I'm sorry, say it
14 again, Mr. Acken.

15 MR. ACKEN: Tuesday, September 3rd.

16 CHMN STAFFORD: Okay. All right. And you
17 can provide a draft CEC by the time of the hearing
18 conference? You know the drill, Mr. Acken.

19 MR. ACKEN: Right. We will.

20 CHMN STAFFORD: And then we'll do the public
21 comment at 5:30 on the first day, on that Tuesday. I
22 don't -- Do you anticipate any public officials wanting to
23 make comment for this?

24 MR. ACKEN: Not at this time.

25 CHMN STAFFORD: Okay.

1 MR. ACKEN: I mean, we -- we may get a
2 letter of support, you know. Again, there's just --
3 there's (indecipherable due to Zoom connection).

4 THE COURT REPORTER: I'm sorry, your
5 internet is shaky. You may get a letter of support?

6 MR. ACKEN: But I don't anticipate a --
7 someone wanting to make an appearance as a public
8 official.

9 CHMN STAFFORD: Okay. All right. Now,
10 permit status. This is La Paz County, you said. So do
11 you need to get a special use permit or is the
12 transmission line a permitted use already?

13 MR. ACKEN: We don't need it for the
14 transmission line.

15 I'll let Patrick speak -- put you on the
16 spot, Patrick -- to talk about County entitlements. You
17 know, this Atlas project is part of a kind of a unique
18 situation with La Paz County. So he can speak I think to
19 the status of County entitlements for the associated
20 generation, if there are any.

21 MR. SHIM: Yeah. I think, Erin, it will be
22 helpful if you can chime in as well.

23 But we are working on that with La Paz
24 County at this point. I think we do need the CUP,
25 conditional use permit. So --

1 Did we file the application, Erin? Or are
2 we working on that?

3 MS. BIBEAU: We are working on it. We will
4 be pursuing a conditional use permit with La Paz County.
5 We have not submitted that yet.

6 CHMN STAFFORD: All right. All right. So
7 for exhibits, do you -- are you able to have tablets for
8 the exhibits or will you have -- We'll need two hard
9 copies; one for myself and one for the court reporter.
10 But if you -- you could -- for the members that are
11 present you can put them on tablets. The Commission can't
12 do that. You will have to handle that or you're stuck
13 with the hard copies for the members that are present.
14 And then you have to email through Tod to the members to
15 get the exhibits to them so they can view them remotely.

16 I'm not sure how many members will be
17 attending remotely.

18 MR. ACKEN: We'll -- we'll work with Tod on
19 the logistics and making sure that we have tablets for
20 whoever is coming. I mean, maybe we'll know, based on
21 lodging for some, and then, you know, if he knows as we
22 get closer how many are planning to attend in person, you
23 know, we'll make sure that we have an adequate number.

24 CHMN STAFFORD: Okay. All right. And so
25 the filing fee was a thousand dollars; correct?

1 MR. ACKEN: That's correct.

2 CHMN STAFFORD: The Commission's obligated
3 by statute to pay the cost of reporting and transcribing
4 any application hearing, as well as the actual and
5 necessary expenses incurred by the committee in connection
6 with their participation in committee meetings from the
7 filing fee. Costs and fees exceeding the amount of the
8 applicant's fee may, with the applicant's consent, be
9 incurred by the committee and charged to the applicant.

10 Does the applicant consent to pay to the
11 Commission those costs in excess of the filing fee?

12 MR. ACKEN: Yes, it does.

13 CHMN STAFFORD: Thank you.

14 All right. We'll have the standard
15 three-day turnaround for the transcripts.

16 Any other concerns? Anything we need to
17 cover for the -- for this conference?

18 MR. ACKEN: I will check my notes. And
19 while I am doing that I'll ask the collected team if I've
20 misstated anything or missed anything please feel free to
21 speak up.

22 I think we're good. Thank you.

23 CHMN STAFFORD: All right. Tod, do you need
24 anything else?

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

1 CHMN STAFFORD: All right. Well, all right.
2 That concludes the prefiling conference. We can go off
3 the record.

4 (Whereupon, at 1:15 p.m. the proceedings
5 ended.)

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1 STATE OF ARIZONA)
) ss.
2 COUNTY OF YAVAPAI)

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14 Dated at Prescott, Arizona, this 1st day of
15 September, 2024.

16 

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