

1 BEFORE THE ARIZONA POWER PLANT AND  
2 TRANSMISSION LINE SITING COMMITTEE  
3  
4 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO.  
5 SONORAN SOLAR ENERGY, LLC, IN ) L-00000UU-11-  
6 CONFORMANCE WITH THE REQUIREMENTS OF ) 0337-00162  
7 ARIZONA REVISED STATUTES, SECTIONS )  
8 40-360, et seq., FOR A CERTIFICATE )  
9 OF ENVIRONMENTAL COMPATIBILITY ) CASE NO. 162  
10 AUTHORIZING CONSTRUCTION OF A 500KV )  
11 GEN-TIE LINE AND SWITCHYARD )  
12 ORIGINATING AT THE PROPOSED SONORAN )  
13 ENERGY SWITCHYARD AND TERMINATING AT )  
14 THE JOJOBA SUBSTATION AND ASSOCIATED )  
15 SWITCHYARD LOCATED IN MARICOPA )  
16 COUNTY, ARIZONA. ) PREFILING  
17 ) CONFERENCE

11  
12  
13 At: Phoenix, Arizona  
14  
15 Date: July 12, 2011  
16  
17 Filed: September 12, 2011  
18

19  
20 REPORTER'S TRANSCRIPT OF PROCEEDINGS

21 ARIZONA REPORTING SERVICE, INC.  
22 Court Reporting  
23 Suite 502  
24 2200 North Central Avenue  
25 Phoenix, Arizona 85004-1481

21 By: COLETTE E. ROSS  
22 Certified Reporter  
23 Prepared for: Certificate No. 50658  
24  
25

	INDEX TO EXHIBITS			
	NO.	DESCRIPTION	IDENTIFIED	ADMITTED
1				
2				
3	1	PowerPoint Presentation	5	5
4	2	Newsletter	11	11
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on to be heard before the Arizona  
3 Power Plant and Transmission Line Siting Committee, 1275  
4 West Washington Street, Phoenix, Arizona, commencing at  
5 2:38 p.m. on the 12th of July, 2011.

6  
7 BEFORE: JOHN FOREMAN, Chairman

8 APPEARANCES:

9  
10 For the Applicant:

11 JENNINGS, STROUSS & SALMON. P.L.C.  
12 By Mr. Kenneth C. Sundlof, Jr.  
13 The Collier Center, 11th Floor  
14 201 East Washington Street  
15 Phoenix, Arizona 85004

16 ALSO PRESENT:

17 NextEra Energy Resources  
18 Mr. Brandon Stankiewicz  
19 Ms. Jennifer M. Field  
20 Ms. Kerry Hattevik

21 Environmental Planning Group  
22 Mr. Paul Trenter  
23 Mr. Devin Petry

24 Mr. Peter MacIlvaine, associate to Chairman Foreman

25

COLETTE E. ROSS  
Certified Reporter  
Certificate No. 50658

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

2 My name is John Foreman. This is a  
3 prehearing -- prefiling conference. And we have folks  
4 here who are contemplating filing an application that  
5 would come before the Arizona Power Plant and  
6 Transmission Line Siting Committee.

7 I wanted to have you folks identify yourselves  
8 for the record.

9 MR. SUNDLOF: Kenneth Sundlof with Jennings,  
10 Strouss & Salmon representing the applicant.

11 MR. TRENTER: Paul Trenter, Environment Planning  
12 Group, environmental consultant for the project.

13 MR. STANKIEWICZ: Brandon Stankiewicz, project  
14 manager for the project. I work for NextEra Energy  
15 Resources.

16 MS. HATTEVIK: Kerry Hattevik, regulatory  
17 affairs manager for NextEra Resources.

18 MS. FIELD: Jennifer Field, environmental design  
19 specialist for NextEra Resources.

20 CHMN. FOREMAN: All right. Well, tell us a  
21 little bit about the project.

22 MR. SUNDLOF: Okay. This is an application that  
23 will be filed probably early next month by Sonoran Solar  
24 Energy, LLC, which is a, a company affiliated with  
25 NextEra Energy Resources, LLC.

1 I would like to, Chairman, if I may, give you  
2 this PowerPoint presentation. Would you like to mark a  
3 copy of it?

4 CHMN. FOREMAN: I would. We will mark that as  
5 Exhibit 1.

6 (Exhibit 1 was marked for identification.)

7 MR. SUNDLOF: And I will just kind of run  
8 through this. I thought it might be easier.

9 Page number 2 of Exhibit 1 kind of shows the  
10 corporate structure of NextEra Energy as the parent of  
11 FPL, which is Florida Power & Light, which is one of the  
12 subsidiaries; NextEra Resources is another. The project  
13 that we are asking to site is through the NextEra Energy  
14 Resources arm of NextEra.

15 And this is a, NextEra is significantly into the  
16 renewable resources development and construction. And  
17 on page 3 you will see that it is significantly into  
18 wind -- in fact, it is the number one wind owner in  
19 North America -- solar, hydroelectric throughout the  
20 country and other places in the world.

21 Here we are talking about, going to page 4, a  
22 photovoltaic project with a transmission tie.

23 Page number 4 -- and we will of course only be siting  
24 the transmission piece of this project. Page number 4  
25 kind of gives you a general overview of where the

1 project will be located with respect to the Phoenix  
2 metropolitan area. As you can see, the project area is  
3 east of Buckeye and north of the National Monument in a  
4 fairly undeveloped part of Maricopa County.

5           Going to page 5, you see a blowup of the project  
6 area. We will be presenting in the application an  
7 application to build a transmission line between the  
8 project which is shown in the crosshatched areas and the  
9 existing Jojoba switchyard, which is the switchyard  
10 managed by the Salt River Project. I think you are  
11 familiar with it. We show two alignments.

12           (Mr. Petry enters the proceeding.)

13           CHMN. FOREMAN: Come on in. And just so we will  
14 get your presence on the record, could you let us know  
15 who you are.

16           MR. PETRY: Devin Petry. And I am here with  
17 Environmental Planning Group.

18           CHMN. FOREMAN: Great.

19           MR. SUNDLOF: We will be presenting two  
20 alignments for transmission. The first preferred  
21 alignment follows the existing transmission structures  
22 that are in the area and is the preferred alignment for  
23 the BLM. And I will get to their involvement in a  
24 second. Then we show another alternative just in case  
25 something goes wrong with the first preferred

1 alternative.

2           The project itself, which is shown in the  
3 crosshatched areas, which is not subject to the siting  
4 process, will be a solar photovoltaic generation  
5 facility approximately 300 megawatts. The overall  
6 footprint is about 2,000 acres. About 1900 of those  
7 acres will be used for solar photovoltaic collection  
8 panels.

9           The project will be built in three 100-megawatt  
10 phases. And you can see in the crosshatched area there  
11 are three separate areas. The first one on the left  
12 will be Phase I, Phase II, Phase III. These, most of  
13 the transmission and all of the photovoltaic site is on  
14 BLM land, and the project has gone through an EIS  
15 process. The EIS will be published probably at the end  
16 of this month.

17           Is that correct?

18           MR. STANKIEWICZ: Just to clarify, the final EIS  
19 will be published probably in the late August, early  
20 September time frame. There was already a previous  
21 Draft EIS published in the spring 2010.

22           MR. SUNDLOF: So we will have that in time for  
23 the hearing before the Siting Committee.

24           CHMN. FOREMAN: And you are planning, you are  
25 hoping for a record of decision sometime in November, if

1 I understand correctly?

2 MR. STANKIEWICZ: Yes, sir.

3 MR. SUNDLOF: The transmission line will be a  
4 500kV line, a single 500kV circuit with bundled  
5 conductors.

6 As you can see, there are two potential  
7 alignments. There is a preferred and an alternative.  
8 Most of this is -- very little of it is on private land.  
9 Interconnection to the Jojoba switchyard will not  
10 involve any major changes to the Jojoba switchyard. So  
11 it is basically a switchyard at the project site, the  
12 500kV line dropping into the Jojoba switchyard with some  
13 drop structures.

14 Tell me if I am getting any of this wrong.

15 And that's kind of an overview, that is an  
16 overview of the project.

17 What we are thinking of doing is filing when  
18 you, Chairman, get back from your vacation around August  
19 5th. And that would give us the opportunity to get you  
20 the form of notice and get it signed and get it  
21 published.

22 CHMN. FOREMAN: Good.

23 (Mr. MacIlvaine enters the proceeding.)

24 MR. SUNDLOF: We are looking at potential  
25 hearing dates of either the third or the fourth week in



1 September. We prefer Tuesday, Wednesday or Thursday so  
2 that these guys can easily travel from Florida. Either  
3 one of those weeks is fine with us.

4 We don't expect this hearing will take more than  
5 a day. There has been a fairly significant public  
6 process, a public outreach, partially in connection with  
7 the EIS process but also generally. And there has been,  
8 while -- at one point this project was envisioned to be  
9 a solar thermal project. And at that point there was  
10 some concern about water use. Now that the project has  
11 changed to a photovoltaic, that single concern is gone  
12 and there is very, in fact no opposition that we know of  
13 to this project.

14 CHMN. FOREMAN: Let me stop you there, because I  
15 received a copy of your newsletter. And it does have as  
16 alternative A PV technology and an alternative in it.  
17 But I took a look at the website that's on your  
18 newsletter and had a chance to read through the Draft  
19 EIS and noted that there was no PV technology reference  
20 in the EIS.

21 So I don't know very much about the federal  
22 process, but I am assuming that that doesn't mean you,  
23 if you go to the PV technology, it doesn't mean you are  
24 going to have to start over with the federal process.  
25 Is that true?

1 MR. SUNDLOF: Can you respond?

2 MR. STANKIEWICZ: I can explain that.

3 Briefly what we had asked the BLM, the state  
4 office in conjunction with their national project  
5 manager, we met with them in really, you know, late  
6 2010, early 2011, and we floated the idea of adding this  
7 PV alternative that we are speaking of now. And we  
8 asked them what they thought would be the best way to  
9 approach that requested addition on our part.

10 The mechanism they have chosen to address that  
11 is what you are looking at right there in front of you.  
12 Instead of completing a supplemental NEPA where we  
13 change the proposed action, their chosen course of  
14 action, that they vetted internally with their solicitor  
15 and state director and the other appropriate staff, was  
16 to add this PV alternative, publish this newsletter  
17 that, you know, essentially alerted the public and  
18 interested parties of that proposed addition in the  
19 existing EIS framework. They solicited any public input  
20 for, I believe it was -- correct if I am wrong -- I  
21 think it was a period of 30 days. There haven't been  
22 any substantive comments on this proposed addition.

23 So what BLM is doing now that we have provided  
24 them with the same level of design, same level of  
25 technical study and analysis that we completed for the

1 the alternatives included in the Draft EIS, what BLM is  
2 planning to do is to include this PV alternative in  
3 their Final EIS, which should be published in the late  
4 September, October time frame.

5 From there, once the analysis on the existing  
6 alternative along with this new one is completed, they  
7 will formulate a decision and issue the record of  
8 decision hopefully, like you mentioned, earlier in the  
9 November time frame.

10 CHMN. FOREMAN: Okay. Peter, I am going to have  
11 you make a copy of this newsletter that was sent to me  
12 that's dated May 2011.

13 MR. STANKIEWICZ: We have some extra copies.

14 CHMN. FOREMAN: You have extra copies, great.  
15 We will mark that as Exhibit 2.

16 (Exhibit 2 was marked for identification.)

17 CHMN. FOREMAN: Thank you. That's helpful. All  
18 right.

19 MR. SUNDLOF: Let me just finish by saying --

20 CHMN. FOREMAN: Go ahead.

21 MR. SUNDLOF: -- we don't know of any  
22 intervenors. We have notified the Corporation  
23 Commission of this meeting. And we are having a second  
24 meeting with Steve Olea, the Utilities Director,  
25 tomorrow. We don't anticipate any other parties in this

1 case.

2 CHMN. FOREMAN: Okay.

3 MR. SUNDLOF: So we would anticipate three  
4 witnesses. And it is not, I don't think it is going to  
5 be a long hearing.

6 CHMN. FOREMAN: I have started to send Steve  
7 letters soliciting his formal written comments on each  
8 application. So you can expect that and tell him that  
9 it is coming. And I just, I think that's something that  
10 we ought to have in the record, is any concerns or lack  
11 of concern that the Staff has on it.

12 I am going to ask you, because this is a new  
13 area, to go ahead and plan a tour.

14 MR. SUNDLOF: Okay.

15 CHMN. FOREMAN: Schedule it for the morning of  
16 the second day.

17 MR. SUNDLOF: Okay.

18 CHMN. FOREMAN: And we will then make the  
19 decision during the first day whether we go ahead on the  
20 second day.

21 (A person opens the door of the proceeding.)

22 A WOMAN: Sorry. I am just checking the room  
23 number here for the air. Sorry.

24 (A person closes the door of the proceeding and  
25 exits.)

1 MR. SUNDLOF: Is that on the record?

2 CHMN. FOREMAN: I apologize. We all have to  
3 play the cards we are dealt, however.

4 So where was I?

5 MR. MacILVAINE: The tour.

6 MR. SUNDLOF: The tour.

7 CHMN. FOREMAN: Tour. So we have had this  
8 format the last two or three applications. And the  
9 Committee has not expressed an interest in having a tour  
10 so I have decided not to hold it and we have just gone  
11 ahead and finished in a day. But I want to give  
12 everybody the option to take the tour if somebody does  
13 want to see things, make an eyeball inspection of the  
14 proposed routes.

15 Where were you going to propose that we meet?  
16 Do you have a venue?

17 MR. TRENTER: We are looking at the Hampton Inn  
18 in Goodyear.

19 CHMN. FOREMAN: Oh, that's a place where we have  
20 been before.

21 MR. TRENTER: Yes, we have.

22 MR. SUNDLOF: Hampton Inn, 200 North Litchfield  
23 Road, Goodyear.

24 MR. TRENTER: Yeah.

25 CHMN. FOREMAN: Since we are familiar with that

1 place, why, that, I think, will work.

2 Peter has sent messages out to the Committee  
3 members and we will try and get back their availability  
4 to let you know which days will work.

5 I used to give everybody a blank draft  
6 prehearing procedural order, but I think you have seen  
7 enough of them that I don't need to do that again. But  
8 I will generate one of those and we will schedule a  
9 prehearing conference shortly before the hearing to make  
10 sure that everything is operating as anticipated. And  
11 if we have got any potential intervenors or people who  
12 want to make public comment, we will talk about that,  
13 too.

14 I will probably schedule an evening public  
15 comment session, but if it appears that we are not going  
16 to have anything in the way of public comment, it is  
17 possible we cancel that, too.

18 MR. SUNDLOF: Okay.

19 CHMN. FOREMAN: What kind of public response  
20 have you had at your public session?

21 MR. SUNDLOF: Brandon, I think I would ask you  
22 to answer.

23 MR. STANKIEWICZ: Yes. As Ken kind of alluded  
24 to earlier, there were, you know, a few particular  
25 issues that most of the comments and responses we got

1 from the public were related to.

2 Number one was the water use. When it was a  
3 proposed concentrated solar thermal facility, which was  
4 going to be wet cooled, obviously water was going to be  
5 significant. In this case it was on the order of  
6 between 2,500 and 3,000 acre feet per year, which is  
7 substantial. So there were some concerns voiced there.

8 Another one was potential visual impacts. There  
9 were a few residences that are located in the eastern,  
10 you know, towards the east of our proposed project  
11 footprint. With this alternative, you know, we have  
12 mitigated that significantly because the footprint is  
13 actually smaller. So it is about a mile and a half  
14 further to the west than the original footprint would  
15 have been.

16 Natural gas use was a question that somebody  
17 had. Again the original proposed action was going to  
18 use some natural gas to do some firming and shaping,  
19 where, at the end of the day, with the solar resource,  
20 the photovoltaic plant doesn't incorporate any kind of  
21 natural gas usage. So that concern is significantly  
22 mitigated.

23 And I think, finally, was, you know, impacts to  
24 species and wildlife. And we have been in pretty  
25 regular discussions with the Department of Fish and Game

1 and Fish and Wildlife Services and the others to allay  
2 some of their concerns and work with them on some  
3 research proposals and things that would take on the  
4 form of mitigation really.

5 CHMN. FOREMAN: Okay.

6 MR. STANKIEWICZ: Honestly, those were the  
7 preponderance of the comments we got, were really one of  
8 those four issues.

9 MS. FIELD: And to look at PV. We did get them  
10 asking why don't you look at PV alternatives.

11 MR. SUNDLOF: And you listened.

12 MS. FIELD: And we listened.

13 CHMN. FOREMAN: All right. And that brings up  
14 an issue. I know there will be members of the Committee  
15 who will be interested in the metamorphosis of the  
16 project from solar thermal to PV. And I know I  
17 personally would like to have a little bit of depth  
18 filled in there about your, your change in thinking.

19 The newsletter makes reference to changes in  
20 technology and market trends. And we would like --

21 MR. SUNDLOF: So you would like to hear about  
22 the economics of solar thermal versus solar  
23 photovoltaic?

24 CHMN. FOREMAN: Right. Some of our early  
25 projects we had testimony that indicated that



1 photovoltaic created economic problems, created problems  
2 as far as periodicity and peaks and valleys and spikes  
3 in the electrical energy that was generated, why this  
4 was problematic, why it created problems for selling the  
5 energy and things like that. And I think that's  
6 something, from a general information point of view,  
7 people on the Committee would be interested in.

8 It is also something that I think ought to be  
9 there because one of our job descriptions is to create a  
10 record for the Commission. And I think it is something  
11 the Commission probably ought to at least have available  
12 if they want to make reference to it when they make  
13 their decision.

14 So if there has been a change in there, and I  
15 mean this is a cutting edge thing that we are involved  
16 in, certificating solar plants, why, keeping up with  
17 what is happening I think is something that would be  
18 good.

19 MR. SUNDLOF: Sounds good.

20 CHMN. FOREMAN: All right. Do you folks have  
21 any questions?

22 MR. SUNDLOF: I do want to, Judge, Chairman, I  
23 do want to get into the record that we plan to post  
24 notices. And I wanted to have introduced the form of  
25 the sign and the locations of the signs which would be

1 along the major -- well, I wouldn't even call it  
2 major -- they would be along Highway 85, which is a  
3 major road. Then there is a dirt road that goes in  
4 south of the site, and there would be some along those.

5 CHMN. FOREMAN: Okay. Let me take a look at  
6 what you have got here.

7 On this map, what is this fine white line that  
8 cuts diagonally across the alternative?

9 MR. TRENT: That's an access road that goes to a  
10 mineral processing facility.

11 CHMN. FOREMAN: I think I would like to have,  
12 you have got four signs, I think I would like to have a  
13 fifth one at the intersection of that road.

14 MR. TRENT: Certainly.

15 MR. STANKIEWICZ: That's fine.

16 CHMN. FOREMAN: How big are the signs that you  
17 are talking about?

18 MR. TRENT: You know, the typical size.

19 CHMN. FOREMAN: Two by three?

20 MR. TRENT: Two by three, something to that  
21 effect.

22 CHMN. FOREMAN: Okay. Let's have size that is  
23 approximately two feet by three feet, have lettering  
24 that's equivalent to traffic signs on highways. And the  
25 general format that you have got here seems to me to be

1 appropriate, but at least have some indication of the  
2 notice of public hearing and basically what it is about  
3 that's large enough to grab the attention of people who  
4 might casually drive along and see it.

5 MR. TRENT: Absolutely.

6 CHMN. FOREMAN: Is the sign that's on the  
7 Highway 85, is it going to be a one-sided or two-sided  
8 sign?

9 MR. STANKIEWICZ: Two-sided.

10 MR. TRENT: Two-sided so we get both sides.

11 MR. STANKIEWICZ: North/south direction.

12 CHMN. FOREMAN: All right. So I will be back in  
13 the office, I think it is, August 8. That's the Monday.  
14 And anytime shortly thereafter or on that day --

15 MR. SUNDLOF: I think we will want to get the  
16 form of notice to you before that so that we can -- if  
17 we are going to do the third or fourth week in  
18 September, we have to move pretty quickly.

19 CHMN. FOREMAN: Yeah, you have got to have at  
20 least 30 days.

21 MR. SUNDLOF: Yeah.

22 CHMN. FOREMAN: And so that should give us, that  
23 should --

24 MR. SUNDLOF: We should have enough time.

25 CHMN. FOREMAN: Yeah. So if you are ready to

1 roll, then I will be ready to roll. And I will be back  
2 from diaper changing duty.

3 MR. SUNDLOF: Where are you going?

4 CHMN. FOREMAN: It is shameless I am putting  
5 this on the public record, but...

6 MR. SUNDLOF: We can go off the record.

7 CHMN. FOREMAN: It is okay. I want the  
8 Corporation Commission Staff to know about this. I am a  
9 new grandfather.

10 MR. TRENTER: There you go.

11 MR. STANKIEWICZ: Congratulations.

12 MR. MacILVAINE: Times two.

13 CHMN. FOREMAN: Times two. My daughter had  
14 twins. And I have been relearning my diaper changing  
15 and formula-fixing skills.

16 MR. SUNDLOF: Cool.

17 CHMN. FOREMAN: All right. Anything else on  
18 this project?

19 MR. SUNDLOF: No, sir.

20 CHMN. FOREMAN: All right. Very good. Thank  
21 you, folks. We will look forward to seeing you in early  
22 August.

23 (The proceeding concluded at 3:00 p.m.)

24

25

1 STATE OF ARIZONA )  
 ) SS.  
2 COUNTY OF MARICOPA )

3

4

5

6

7 I, COLETTE E. ROSS, Certified Reporter No.  
8 50658 for the State of Arizona, do hereby certify that  
9 the foregoing printed pages constitute a full, true and  
10 accurate transcript of the proceedings had in the  
11 foregoing matter, all done to the best of my skill and  
12 ability.

13

14 WITNESS my hand this 13th day of July, 2011.

15

16

17

18

19

COLETTE E. ROSS  
Certified Reporter  
Certificate No. 50658

20

21

22

23

24

25