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INDEX TO EXHIBITS

NO.	DESCRIPTION	IDENTIFIED
1	Forged Ethic Notice of Hearing for Prefiling Conference	6
2	Forged Ethic CEC - Notice Sign Location Map	6
3A	Forged Ethic CEC - Notice Sign 7-14	6
3B	Forged Ethic CEC - Notice Sign AZ Trail	6

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 2:01 p.m. on July 14, 2023, with
5 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
 Suite 1-172
 Phoenix, Arizona 85020

14 ALSO PRESENT:

15 Kimberly Comacho, RWE
16 Matt Ryan, RWE
 Dean Hazle, SWCA
 Tod Brewer, Assistant to Chairman Stafford

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

2 Now is the time set for the prefiling
3 conference for RWE Forged Ethic Wind Project.

4 Take appearances, please.

5 MR. ACKEN: Thank you, Mr. Chairman. Bert
6 Acken of Acken Law on behalf of the applicant which is
7 going to be RWE Renewables Development, LLC.

8 With me we have Kimberly Comacho from RWE,
9 Matt Ryan also of RWE, and Dean Hazle from SWCA who is
10 providing support on the application itself and the
11 testimony with respect to environmental and public
12 outreach.

13 I would ask Matt and Kimberly if you could
14 both just say hello and your titles and introduce
15 yourself for the record.

16 MR. RYAN: Sure thing. Well, nice to meet
17 you all. Happy Friday as we're looking into the weekend
18 here.

19 So I've been working with RWECE for about
20 two years now. Been in the renewables development
21 industry for about five or six, maybe a little bit
22 longer. Based out of Boulder, Colorado. I oversee a lot
23 of our development in Arizona, New Mexico, Utah, some
24 California as well. And one of which is the Forged Ethic
25 Wind Project just north of Flagstaff.

1 So, yeah, really looking forward to hear
2 more from you both today. Looking forward to working
3 with you in the future.

4 MS. COMACHO: Thanks, Matt, and hi,
5 everyone. My name is Kimberly Comacho, and I'm the other
6 development manager on the project. I've been with RWE
7 since its merger with Con Ed and have been working on
8 projects all over Arizona. And I'm excited to work on
9 this project.

10 MR. ACKEN: Thank you.

11 CHMN STAFFORD: And Dean?

12 MR. HAZLE: Oh, I'm sorry. Dean Hazle.
13 I'm the SWCA project manager for Forged Ethic supporting
14 the application development.

15 CHMN STAFFORD: Thank you.

16 Mr. Acken, are there any anticipated
17 intervenor in this matter?

18 MR. ACKEN: No, Mr. Chairman. This is a
19 remote site north of Flagstaff. One of the prefiled
20 exhibits that shows our proposed notice signs gives you
21 kind of an overview where this project is located. It's
22 between 89 to the east and 180 to the west located on
23 checkerboard lands associated with the Babbitt Ranch,
24 both private and state lands.

25 But because it's a remote area, has a

1 proposed transmission line parallels existing linear
2 transmission infrastructure, at this point we have not
3 heard of and are not anticipating intervention in the
4 project.

5 CHMN STAFFORD: Okay. There are a number
6 of prefiled exhibits. Would you like to identify those
7 for us, please?

8 MR. ACKEN: Yes. Thank you.

9 So we'll mark as PFC-1 is the draft notice
10 of the hearing for your consideration that identifies --
11 provides a little bit about the project, hearing
12 location, libraries, project website, and standard things
13 that you expect to see in a notice of hearing.

14 The second one let's mark as PFC-2, the
15 sign -- proposed sign location map. We have two proposed
16 sign locations. One, we're on the east side where there
17 is public access to Babbitt Ranches, Babbitt Ranch, and
18 so we proposed putting a sign there. And then the second
19 sign is kind of a unique location, which would be along
20 the Arizona Trail.

21 And so prefiled Exhibit 3 would be the --
22 is the two proposed signs. And we proposed kind of a
23 standard sign for the one that's close to 89 and then a
24 modified sign for hikers and bikers along the Arizona
25 Trail.

1 CHMN STAFFORD: Okay. All right. Those
2 are admitted.

3 I have a quick question looking at that
4 map. It shows that the trail goes right through the wind
5 project. Is that correct?

6 MR. ACKEN: Yes. That's correct.

7 CHMN STAFFORD: Okay. All right.

8 Now, for publication, what newspapers is
9 the publication going to be made in?

10 MR. ACKEN: We're going to publish in the
11 daily newspaper up in Flag, and, Dean, I'm blanking on
12 the name. Is that Arizona Daily Star; is that right?

13 MR. HAZLE: It's the Daily Sun.

14 MR. ACKEN: Daily Sun. Thank you.

15 And we would like, you know -- maybe I'm
16 jumping ahead of myself. We're targeting the 24th for
17 filing -- the 21st through 24th for filing, and if we
18 file on the 24th, we would very much like to have the
19 notice of hearing signed by 10 o'clock the next day,
20 which I realize doesn't give you much time. But the
21 Daily Sun has some unique challenges as it relates to
22 publication of public notices that include maps, and so
23 they need a little longer lead time. So that's going to
24 be the paper. It's the paper of record in Coconino
25 County where this project is located. But, again, we

1 would ask if at all probable that that notice be signed
2 or available to us to provide to the Daily Sun by
3 10 o'clock on the 25th.

4 CHMN STAFFORD: Okay. Yeah. We can do
5 that. So you need it by 10 a.m. on the 25th; correct?

6 MR. ACKEN: That's right.

7 CHMN STAFFORD: Okay.

8 And then what are the affected
9 jurisdictions?

10 MR. ACKEN: So there are two. This is
11 entirely located in unincorporated Coconino County. And,
12 again, this is a checkerboard land position, so you do
13 have Arizona State Trust lands.

14 CHMN STAFFORD: Okay. So those affected
15 jurisdictions will be provided notice under the statute?

16 MR. ACKEN: That is correct.

17 CHMN STAFFORD: And then the evidentiary
18 hearing, we're going to have it in Flagstaff at the High
19 Country Conference Center?

20 MR. ACKEN: That's correct. This is a
21 location I've used for a number of hearings in Northern
22 Arizona. It's a great venue. The hearing room we're
23 actually going to be in is kind of an auxiliary
24 conference space that's -- so it's not in the main
25 conference center, but it's next door. It's all in the

1 same general complex. I have had one other hearing in
2 that hearing room a few years ago for another wind
3 project interconnection. So the hearing room itself is
4 it's a little tight, but it's not the tightest one you've
5 ever seen. And, again, we're not anticipating a lot of
6 public interest.

7 CHMN STAFFORD: Okay. Now, you're going to
8 have lodging for out-of-town Committee members, and where
9 will that be?

10 MR. ACKEN: I anticipate that will be at
11 the Drury Inn which is affiliated and next door to the
12 conference center.

13 CHMN STAFFORD: All right. Now, you'll
14 need to have a plan for a tour at the prehearing
15 conference. This looks pretty remote, so I'm speculating
16 that a tour will probably -- a tour is unlikely.

17 MR. ACKEN: We are certainly not going to
18 recommend a tour for several reasons. Again, the lack of
19 public interest. The fact that it is a remote location.
20 We are going to present a terrific virtual tour. And,
21 frankly, site access may be a challenge getting -- even
22 though some of the roads can be accessed on Babbitt
23 Ranch, I don't know that all of them are publicly
24 accessible and certainly not publicly accessible by the
25 vans that we would use for the Committee. So, yes, we

1 will have a tour protocol prepared, but I don't think --
2 given the remote location, this one's going to be a tough
3 one to do an in-person tour.

4 CHMN STAFFORD: If we did do one, it would
5 be taken on that Wednesday the 6th in the morning.

6 MR. ACKEN: Understood.

7 CHMN STAFFORD: If. If we do a tour.

8 And, Tod, what's the date we have for the
9 prehearing conference? And I guess we're assuming you
10 will file the application on the 24th; correct?

11 MR. ACKEN: That is correct.

12 MR. BREWER: Mr. Chairman, we have that
13 scheduled for August 29 at 2 p.m.

14 CHMN STAFFORD: All right. There's no
15 litigation or disputes for this?

16 MR. ACKEN: That's correct.

17 CHMN STAFFORD: When you file the
18 application, you'll send a hard copy over to us too?

19 MR. ACKEN: We will.

20 CHMN STAFFORD: And we'll get the
21 procedural order together once we get that.

22 Just remind you to provide the draft CEC by
23 the prehearing conference and then reference any of the
24 conditions with the latest prior CEC that were contained.

25 MR. ACKEN: We will do so.

1 CHMN STAFFORD: Public comment, we're going
2 to have a special session at -- on is that Monday, no,
3 the Tuesday the 5th at 5:30; correct?

4 MR. ACKEN: That's correct. Yeah, we're
5 starting on a Tuesday because of the holiday.

6 CHMN STAFFORD: Okay. And then what's the
7 permit status for the project?

8 MR. ACKEN: So I'm going to turn it over to
9 the team to talk about the county entitlement process.
10 This project does also have -- it will have a NEPA
11 component process associated with it because Bureau of
12 Reclamation is one of the owners of the switchyard
13 entry -- the line that we're interconnecting with, and so
14 because of that, it has to go through a NEPA analysis.

15 Unfortunately, that hasn't started yet
16 because of a delay in the system impact study. So
17 originally when we anticipated that we would have had
18 that system impact study, I think, we probably would have
19 that system impact study at the beginning of the year.
20 And so that's been quite a bit of a delay, which has
21 delayed the federal permitting process.

22 But as far as the county process, if
23 anybody on the team wants to speak to that, just give a
24 high-level overview of the status.

25 MR. HAZLE: Right. We're preparing a

1 conditional use permit with Coconino County. We aim to
2 submit that later this summer. I think we're kind of
3 working on final components for the application. My
4 guess is that it will be submitted to the County by the
5 time of hearings and sort of in the staff review stage
6 with Coconino County.

7 CHMN STAFFORD: I notice it's going to
8 require a special use permit. Is that for the line
9 itself or is that for the wind project?

10 MR. HAZLE: It's a conditional use permit
11 that'll cover the wind project and the transmission line.
12 Coconino County has a renewable energy ordinance that,
13 you know, has specific requirements for utility-scale
14 developments. So those are the sort of additional
15 requirements we're preparing the application under.

16 CHMN STAFFORD: Okay. Now, for the hearing
17 itself, you will ensure it will have the same AV team
18 setting up all the equipment and everything that we
19 typically do for these?

20 MR. ACKEN: Yes.

21 CHMN STAFFORD: Okay. And you'll have the
22 tablets for the Committee Members to have all the
23 exhibits and everything on?

24 MR. ACKEN: Yes. The nice thing is they're
25 actually based there, right, so it's easy to get them

1 there.

2 CHMN STAFFORD: What was the amount of
3 filing fee for this?

4 MR. ACKEN: It's a thousand because, you
5 know, the short length of the line. It's about a
6 five-mile line, four- or five-mile line.

7 CHMN STAFFORD: All right. And so you know
8 the Commission is obligated by statute to pay the cost of
9 reporting and transcribing any application hearing as
10 well as the actual necessary expenses incurred by the
11 Committee in connection with their participation in the
12 meetings from the filing fee. These costs and fees
13 frequently exceed the amount of fee. And with the
14 applicant's consent, they can be incurred by the
15 Committee and charged to the applicant. Will the
16 applicant consent to pay the Commission those costs in
17 excess of the filing fee?

18 MR. ACKEN: Yes. And a couple thoughts.
19 There's one, I think, most always exceeds the thousand
20 dollar fee even for straightforward hearings like this.

21 And I do want to say -- I want to I guess
22 it may have been your predecessor or Tod, certainly, for
23 scheduling us concurrently with another project, so that
24 helps. It helps to spread some of those costs around.
25 So we appreciate the Committee's consideration on that

1 one.

2 CHMN STAFFORD: All right. Thank you.

3 Just a reminder that the turnaround time
4 for transcripts is three days.

5 That's the end of my list. Is there
6 anything else, Mr. Acken, that you have that we need to
7 address at this prefiling conference?

8 MR. ACKEN: No. That's -- I don't have
9 anything else. At this time, I'd ask my team if I
10 misstated anything or if you have anything else, feel
11 free to chime in. But, otherwise, we're looking forward
12 to presenting this to the Committee.

13 CHMN STAFFORD: Well, thank you. If
14 there's nothing further, then we can adjourn, and see you
15 back here at three o'clock for the next one.

16 MR. ACKEN: Sound good. Thank you.

17 CHMN STAFFORD: Thanks. We're adjourned.

18 (Proceedings concluded at 2:16 p.m.)

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