

1 BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION
2 LINE SITING COMMITTEE

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5 IN THE MATTER OF THE APPLICATION)
6 OF UNS ELECTRIC, INC., IN)
7 CONFORMANCE WITH THE REQUIREMENTS)
8 OF ARIZONA REVISED STATUTES)
9 SS 40-360, et seq., FOR A) DOCKET NO.
10 CERTIFICATE OF ENVIRONMENTAL) L-00000F-09-0190-00144
11 COMPATIBILITY AUTHORIZING THE)
12 CONSTRUCTION OF THE VAIL TO) CASE NO. 144
13 VALENCIA 115kV to 138kV)
TRANSMISSION LINE UPGRADE)
PROJECT, ORIGINATING AT THE)
EXISTING VAIL SUBSTATION IN SEC.)
4,T.16S., R.15E., PIMA COUNTY,)
TO THE EXISTING VALENCIA)
SUBSTATION IN SEC. 5, T.24S.,)
R.14E., IN THE CITY OF NOGALES,)
SANTA CRUZ COUNTY, ARIZONA,)

14

15 At: Rio Rico, Arizona
16 Date: June 3, 2009
17 Filed: REPORTER'S TRANSCRIPT OF PROCEEDINGS

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19 BE IT REMEMBERED that the above-entitled and numbered matter
20 came on regularly to be heard before the Power Plant and
21 Transmission Line Siting Committee, at the Esplendor Resort,
22 Rio Rico, Arizona commencing at 8:30 a.m. on the 3rd day of
23 June, 2009.

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Reported by : Diane Laur
For Garcia Court Reporting

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15 JESSICA YOULE, Department of Commerce Energy Office
JEFF McGUIRE, Appointed Member
16 MIKE WHALEN, Appointed Member
MIKE PALMER, Appointed Member
17 BARRY WONG, Appointed Member
WILLIAM MANDELL, Appointed Member

18
WITNESSES:
19 ED BECK, UNS ELECTRIC, INC.
MIKE WARNER, Transcon Environmental, Inc., UNS Electric,
20 Inc.

21 POTENTIAL INTERVENORS:
Marshall Magruder
22 Elizabeth Buchroeder-Webb

23

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1 MR. FOREMAN: It's about 8:56 a.m. We are at
2 stop number one on the tour that we discussed yesterday, on
3 the record, in this matter.

4 I want to note, for the record, the members of
5 committee who are present. My name is John Foreman,
6 chairman. We have committee members William Mandell, Barry
7 Wong, Dave Eberhart, Michael Palmer. We've got Jessica
8 Youle and Jeff McGuire in the bus and we have committee
9 member Mike Whalen following in his own car.

10 We have previously sworn Mr. Mike Warner and
11 Mr. Ed Beck. They are here with us. I would like for one
12 of you just to describe what we are seeing from here and
13 where the proposed line would go.

14 MR. BECK: I'm Ed Beck. If you look to the
15 south, a little bit west, there's a turning structure that's
16 our existing line.

17 And if you come back up the hill pretty much
18 directly west to us, there's a pole on top of the ridge.
19 That's also the line. Then looking from a southwest point,
20 coming to the east, where the line goes through the Preston
21 Mobile Home Park, which is right below us, that is one area
22 we asked for 1,250-foot corridor.

23 If you look to the south and east, there's a
24 turning structure, which Mike is pointing to over there, and
25 the line heads south from there and crosses Mariposa Road.

1 You can see the structure on the north side of
2 Mariposa Road. Then we cross up onto the hill behind the
3 shopping center, continue on to the next structure, which is
4 a turning structure, and the line heads east to the Valencia
5 substation.

6 MR. FOREMAN: Can you see the Valencia substation
7 from here?

8 MR. BECK: Not really, but on the tour route, we
9 will drive by the Valencia sub. If you look to the north,
10 as we turn onto Grand Avenue, we'll go right by the Valencia
11 sub.

12 MR. WONG: So these are all H-frames that you're
13 replacing? They are all H-frames?

14 MR. BECK: The majority are H-frames. We have
15 three-pole structures, one on the southwest and one past the
16 hill where we have angles. Those are three-pole structures
17 with turns because they're 90-degree angles.

18 MR. WARNER: One of the other things I want to
19 point out, this area just below us, on the aerial photograph
20 that we saw, is filled with trailer homes. This has all
21 been removed, and the developer -- you saw a sign that said
22 this is new management. They also have an intent to vacate
23 that in the future as well.

24 So the mobile home park, this area is largely
25 converting to a shopping center, commercial development.

1 That's why there's interest in having the flexibility, from
2 the developer's standpoint, about where he wants to move
3 that line on his property.

4 MR. WONG: Mr. Warner, to the base of this hill
5 that we're standing on, which is the Santa Cruz Community
6 Complex, that's the trailer park we're talking about?

7 MR. WARNER: Yes.

8 MR. WONG: The original preferred route was to
9 bisect that, but you said you were working with the owner to
10 route it to the perimeter of that trailer park?

11 MR. WARNER: That's correct. You can see the
12 structure passing through the heart of it right now. There
13 is one. It looks like monopole. There's also a tall
14 structure that is a three-pole structure. That is right
15 there before it starts to turn back south and cross over the
16 road there.

17 MR. FOREMAN: Just for completion of the record,
18 we are standing now in the parking lot to the Santa Cruz
19 County Complex. We are at the top of the hill, am I
20 correct, the very south edge of the parking lot, looking
21 down the hill towards this road coming --

22 MR. BECK: Mariposa.

23 MR. FOREMAN: What is the road coming straight
24 towards us?

25 MR. WARNER: Congress.

1 MR. FOREMAN: If you follow Congress straight on
2 up the hill -- and I guess it twists and turns -- and we are
3 at the top of that, that is roughly straight above the place
4 that Congress would intersect with the parking lot.

5 MR. MAGRUDER: And can I point out something?
6 I'm Marshall Magruder. I'm an intervenor. Due south, the
7 blue building, you can see is the only cinema or movie
8 theater in Santa Cruz County.

9 To the right of it, there's a Home Depot. To the
10 left is Wal-Mart, another major shopping center that is just
11 south of the present alignment.

12 In front of us, there are two shopping centers
13 that get crossed by the power line after it goes past the
14 mobile home park.

15 The building -- you can see a lot of construction
16 occurring at the county complex. The voters approved a new
17 jail.

18 MR. FOREMAN: We are here to view what we can
19 see.

20 MR. MAGRUDER: There's going to be a new parking
21 lot installed where that construction material is there.
22 Following the line up, there is a ramada and a favorite
23 walking trail called the Sargent-Manual-Tobia Trail that
24 many people in the community use. That goes almost
25 underneath those lines up to the west side.

1 MR. FOREMAN: Okay. That's it.

2 MR. BECK: Just as you go back to the bus, if you
3 want to look off to the north side of this hill, you can see
4 the line where it goes off to Grand Avenue, if the members
5 want to do that.

6 We are going down back to Congress, take Mariposa
7 over to Mastick Way. We will turn southwest and hit White
8 Park Road. We'll be following the existing -- parallel to
9 the existing line when you see the Home Depot and Wal-Mart.

10 We will stop at the street intersection of Grand
11 and White Park Road. When you look to the left of the road,
12 that's the Valencia substation, as we're heading north on
13 Grand to the next stop.

14 MR. FOREMAN: Thank you.

15 STOP NUMBER TWO:

16 MR. FOREMAN: All right. We are back on the
17 record here. We are at stop two. It's 9:20. So let me
18 ask Mr. Beck or Mr. Warner to tell us what we see.

19 MR. BECK: When we came up Baffert Drive heading
20 east, we crossed under what would be the alignment or the
21 alternative. You may not have noticed, but there's a notice
22 of hearing sign. That's basically where the alignment would
23 be -- you see some hills here -- probably just on the far
24 side of the ridge line.

25 MR. FOREMAN: We are at a convenience market,

1 Nogales Market Two. We are looking west. And we are at the
2 intersection of Calle Santa Anna and Baffert Drive. So
3 we're on a raised elevation here. So when you said off to
4 the left, you were pointing towards the southwest?

5 MR. BECK: If we look directly west -- we're just
6 on the other side of this hill -- we can probably see the
7 top of the lines, the poles just above the ridge line.

8 So the line would be running north and south just
9 on the other side of the ridge line, adjacent to the
10 industrial area on the other side of the hill.

11 MR. WARNER: Let me add to that. This is one of
12 the simulation points that we showed you at the meeting.
13 It's G-11, and the simulation is taken from this parking
14 lot.

15 MR. FOREMAN: Exhibit G-11, UNS 1, which is the
16 application.

17 MR. WARNER: If you want to examine this right
18 here, you can see where the alignment would appear. Let me
19 point out, on the simulation, we are where the pole
20 structure is. See in the foreground the stop sign? That's
21 the stop sign right there. See the pole -- the next pole is
22 right behind -- the pole would be behind the hill. So you
23 wouldn't be able to see that. Basically the line would be
24 where the transition is between this residential area and
25 the commercial area.

1 MR. BECK: More perspective, Mr. Chairman, you
2 had a little trouble trying to determine the lines yesterday
3 in the simulation.

4 This distribution line is what you're seeing in
5 the foreground in that simulation, and the line is
6 perpendicular, the proposed alignment.

7 MR. FOREMAN: That was confusing to me in the top
8 photograph that's entitled existing condition, Exhibit G-11.
9 There's a line that sort of starts in the right center of
10 the photograph and comes up towards the top, towards the
11 position from which the photograph is taken. I had mistaken
12 that for the proposed line. This is very helpful. I can
13 see the difference now.

14 MR. BECK: The picture was taken down in the
15 lower level of the parking lot under that distribution line.
16 We are standing a little bit higher than that elevation that
17 the picture was taken from.

18 MR. WARNER: We can see much more easily the
19 multiple pole structure of the existing line as it goes
20 apparently directly west from here because we are at a
21 little higher elevation.

22 MR. WONG: Their distribution lines will remain
23 also?

24 MR. BECK: Yes.

25 MR. WONG: There is no way you can take these

1 poles down and have the new poles and have these also on the
2 new poles?

3 MR. BECK: The pole probably wouldn't be in the
4 same alignment.

5 MR. FOREMAN: The new line would be perpendicular
6 to that line?

7 MR. BECK: That's correct. This distribution
8 line serves this neighborhood back here. This is a
9 neighborhood with lots of homes back here to the east. That
10 will be looking down on the alignment, on this alternative.

11 MR. FOREMAN: You are describing the simulation
12 for alternative two.

13 MR. WONG: Mr. Chairman, way out in the distance,
14 there's a power line. Will that remain way out in the
15 distance?

16 MR. BECK: The H-frames that are existing on the
17 existing alignment, that would be replaced by a monopole.

18 MR. FOREMAN: This is looking southwest from
19 where we're standing. Any other questions?

20 MR. MAGRUDER: Can I make a comment? That pole
21 we were just looking at would not be there if we choose this
22 alignment?

23 MR. BECK: True.

24 MR. FOREMAN: Correct.

25 MR. MAGRUDER: That was my comment.

1 MR. FOREMAN: The pole we were looking at would
2 be changed if the preferred alignment is taken. The pole
3 that we talked about here, in the simulation, would occur
4 only if the alternative is taken; correct?

5 MR. BECK: Correct.

6 MR. FOREMAN: Any other questions?

7 MR. BECK: From this point, we'll head along
8 Baffert to Grand Avenue, head north on Grand Avenue, until
9 we get to the next viewing point, so you can see the
10 congestion along Grand Avenue.

11 MR. FOREMAN: Viewing point number three is at
12 the southeast end of the place where the preferred alignment
13 goes around the existing alignment to avoid the
14 encroachment, the business encroachment that we talked about
15 yesterday; is that correct?

16 MR. BECK: That's correct. It's the line where
17 the line leaves Grand Avenue, the existing line leaves Grand
18 Avenue.

19 MR. WONG: When we get back on the bus, when we
20 travel directly under the proposed alternative route, can we
21 stop so we can take a look at that notice that's posted?

22 MR. BECK: There also should be a notice posted
23 at stop three. If you want to stop there, that's fine.

24 MR. WONG: Since we are passing it either way.

25 MR. BECK: When you get to that point, you'll

1 note you're pretty much on the alignment.

2 MR. FOREMAN: We will just stop. Nobody gets out
3 of any vehicle. We'll stop. Nobody disembarks. We'll
4 stop, point out where the sign is and then keep going.

5 STOP NUMBER THREE:

6 MR. FOREMAN: This is stop number three. Tell us
7 what we're seeing.

8 MR. BECK: Okay. If you look to the south along
9 Grand Avenue, we are adjacent to Grand Avenue, the preferred
10 alignment would continue pretty much across the street,
11 across Grand Avenue, across the railroad tracks and go up
12 behind this set of warehouse complex buildings. You can see
13 on the map generally how that alignment goes.

14 If you look to the north along Grand Avenue, that
15 is one of the pictures you saw yesterday during our flyover.
16 That's the building you saw. It just generally shows along
17 Grand Avenue, on the existing alignment, all of the complex.

18 One thing we haven't talked about, which I will
19 point out, the natural gas line, right underneath the line
20 along Grand Avenue, potentially is an issue.

21 MR. WARNER: Let me clarify exactly how the line
22 rises up on the hill. See that apartment complex on the
23 hill? The line will pass behind that and rise over the hill
24 to the north.

25 MR. FOREMAN: We are on Grand Avenue, which runs

1 southeast and northwest, according to the map I have; is
2 that correct?

3 MR. BECK: Yes.

4 MR. FOREMAN: And we're in a parking lot of a
5 small shopping center or strip mall that's northwest of the
6 Texaco gas station. Now is this the Texaco gas station that
7 we saw in the flyover?

8 MR. BECK: No. The gas station will be at the
9 end of this, at stop number five.

10 MR. FOREMAN: And we walked down to the corner
11 and saw two notices for this hearing, one on the south and
12 west side of Grand and one on the north and east side of
13 Grand.

14 Now I'm inferring that the proposed line -- the
15 preferred line would go along a line between those two
16 signs?

17 MR. BECK: Pretty much cross Grand in the same
18 direction as the line coming into Grand. It will continue
19 across Grand Avenue.

20 MR. FOREMAN: You can see those lines going
21 around Grand and there's some sort of turning structure on
22 the east side of Grand?

23 MR. BECK: That's the guide for the pole.

24 MR. FOREMAN: For the pole here at the corner?

25 MR. BECK: For this turning structure on the

1 corner.

2 MR. FOREMAN: That would show where the line
3 would continue across?

4 MR. BECK: Yes.

5 MR. WONG: Mr. Chairman, a question regarding the
6 notice signs. Is that described in statute about the size
7 of the sign, the content of the wording?

8 I'm concerned because there's so much visual
9 pollution everywhere, it's not easy to look at it and see
10 there's a notice. It's black and white. The sign is white
11 in color with black letters.

12 The only thing I saw was siting committee and it
13 has dates and times. It doesn't refer to -- transmission
14 line is the term. I think the average person, they think of
15 power, electrical power rather than a transmission line.

16 And what is a siting committee? If you're in the
17 business and understand what a siting committee is, but I
18 don't think it's real descriptive for the average person, a
19 lay person to understand that.

20 Maybe there should be two strips of bright color
21 that will attract the eye to that notice. That's why I
22 asked whether that's a statutorily defined description that
23 has to be followed.

24 MR. FOREMAN: The answer is yes and no. This is
25 probably not the location to go into a description of it.

1 There's a statutory requirement that notice be posted. The
2 notice has to be approved in advance.

3 I approved those notices and indicated where I
4 thought notices should be placed, and directed the applicant
5 to place in the application and to provide testimony about
6 the content and location of all sign placement.

7 I believe there is an exhibit that is in evidence
8 that indicates where all the locations are and what the
9 content of the sign is.

10 All I can say is the content of the sign is
11 consistent with the contents of notice signs that have been
12 used in applications in the past.

13 MR. WONG: I raise the issue because if we want
14 true public notice, for example, municipalities in the past
15 used to have small signs put on stakes about notice of a
16 zoning hearing. They were 4-foot by 8-foot signs, to bring
17 attention to the neighborhood and voters, actually
18 interested parties. I bring that up for further discussion
19 later.

20 MR. FOREMAN: Let's discuss it later at a
21 location where the sun is not beating down and the fire
22 trucks and ambulances are not racing by.

23 MR. PALMER: What do we need to get from the
24 railroad to cross their right-of-way?

25 MR. BECK: We need a permit from the railroad,

1 and typically a permit from the railroad is a rather long
2 process.

3 MR. EBERHART: From here, north, will the
4 existing line be taken down if the preferred route is taken?

5 MR. BECK: If the preferred route is taken, from
6 here, north of Grand Avenue, we will remove the top of the
7 pole, remove the 115 line and the top of the pole just above
8 the distribution.

9 MR. FOREMAN: That would only be between here and
10 observation point number five; is that correct?

11 MR. BECK: That's correct.

12 MR. FOREMAN: Any other questions? All right.

13 MR. BECK: From this point, we'll go to stop
14 four, which is along the preferred alignment so we can look
15 at that. As we go along, you will be able to look at the
16 left side and see what Grand Avenue is like.

17 MR. WARNER: It's going to be a difficult stop.
18 At that location, we might have to drive past to figure out
19 how we will turn around and figure out the best place to
20 stop. There isn't a lot of room.

21 MR. FOREMAN: The route takes us up Gold Hill
22 Road?

23 MR. WARNER: You can see it rising up behind
24 those apartments.

25 MR. FOREMAN: Would it be easier to turn around

1 on Gold Hill Road?

2 MR. BECK: That stop is at a warehouse parking
3 lot at the top of the road. There should be plenty of room
4 to pull in and stop.

5 MR. WARNER: You're right.

6 STOP NUMBER FOUR:

7 MR. FOREMAN: We are at stop number four. It's
8 10 o'clock. Tell us where we are and what we can see from
9 here.

10 MR. WARNER: This is Mike Warner. You notice you
11 can see the sign posting the intent is placed where the sign
12 would be easier to read. But the structure would be on the
13 downhill slope down below this area. And so the
14 preferred -- that would be preferred alternative. That
15 avoids Grand Avenue.

16 The line would go behind these structures to the
17 north and work its way down, back down to the existing line
18 on Grand Avenue. It bypasses -- at the point we are going
19 to stop next, you'll see where it departs and cuts up in
20 this direction.

21 The line would continue behind these structures
22 at a low elevation below this and work its way back down to
23 where we were before. That's the preferred alternative or
24 the preferred route.

25 The alternative route is behind us farther up

1 Gold Hill Road and on the other side of the apartment
2 complex, behind that, and we are not going up unless the
3 committee is interested in driving up there. It's a little
4 more difficult to turn around. So if you want to drive that
5 direction --

6 MR. BECK: That was the intent on the
7 alternative, to go up Gold Hill Road to the first turn
8 around, so you could see where the alignment would be. Look
9 out both sides of the bus so you have an idea. The
10 committee members may want to walk up and look over just to
11 see. As Mike said, the poles will be in a downslope
12 somewhere along this trying to keep a low profile.

13 MR. FOREMAN: Do you have a guess how high above
14 where we are standing the tops of the poles will be?

15 MR. BECK: Maybe 20 feet.

16 MR. WARNER: You'd be able to see them from where
17 we're standing.

18 MR. FOREMAN: They would be above the poles that
19 are presently visible in the distance?

20 MR. BECK: They would be taller than the parking
21 lot lighting structures.

22 MR. WONG: How much taller?

23 MR. WARNER: If you assume those are 35, 40 feet
24 tall, they are going to be 80-foot structures.

25 MR. WONG: Double in size?

1 MR. WARNER: Double.

2 MR. BECK: These parking light structures may be
3 a little taller than that, but somewhere in the range of
4 double.

5 MR. WONG: Who owns the property on which those
6 poles sit?

7 MR. WARNER: I don't have that on hand. Perhaps
8 we can figure that out when we get back into the meeting.

9 MR. WONG: I'm curious. The property that we're
10 standing on now, there's a warehouse, it looks like, called
11 KCS Company. Are they aware that this is basically along
12 their backyard?

13 MR. WARNER: We will have to review the mailing
14 list to see if they responded. There are a few commercial
15 developers that own this property that have attended the
16 meetings, but we didn't make an accounting about whether or
17 not they attended the meetings and weighed in.

18 MR. BECK: They were notified via the mailing
19 list to the landowners. So they at least received the
20 notice of the project and the newsletters. Whether they
21 participated --

22 MR. WONG: The KCS Company property that we're
23 standing on, they received notice?

24 MR. WARNER: We'll look at that record and talk
25 about it in the meeting. So it will give us an opportunity

1 to examine it.

2 MR. MANDELL: Mr. Chairman, this is Bill Mandell.
3 This question may be premature. Are we going up River Road
4 on this tour? I mean I'm looking and it says alternative
5 alignment.

6 MR. FOREMAN: We will go up -- here's a map.
7 We'll go up to viewpoint nine. And so we'll be going up --
8 I don't know whether it's called River Road.

9 MR. BECK: Yes. It's inset four, Old Tucson Road
10 to River Road.

11 MR. MANDELL: Okay. That's fine. Like I said,
12 my question may have been premature, but I just wanted to
13 make sure I understood because that's the alternative line.

14 MR. WONG: Mr. Chairman, regarding this bypass
15 preferred alignment, which bypasses the existing route we're
16 looking at now, how many of the monopoles will be erected in
17 this bypass route?

18 MR. FOREMAN: Is this a question we could address
19 back in the hearing room?

20 MR. WONG: We can address that. Why don't you
21 plan on addressing that and also the spacing of those in the
22 bypass route. Thank you.

23 MR. FOREMAN: Very good.

24 MR. BECK: For the record, we will leave this
25 parking lot, go up Gold Hill Road, which will cross the

1 alternative alignment that we haven't identified as the
2 preferred, but you've heard some public comment about it,
3 intervenor comment.

4 So you'll see, when we cross under the alignment,
5 there should be those notice signs. So that will give you
6 some idea where that's at. Look left and right, and then
7 we'll go to the closest point where we can get the bus
8 turned around.

9

10 STOP NUMBER FIVE:

11 MR. FOREMAN: It's 10:26. We are at stop number
12 five. We are inside a fenced yard and it looks like it's a
13 Frank's or a Touch of Excellence, sort of a trucking lot.
14 We have Grand Avenue behind us and Old Tucson Road. Orient
15 us now. Tell us the significance of this location.

16 MR. BECK: We are just slightly south of the
17 turning structure where the existing alignment turns off of
18 Grand Avenue and heads up Old Tucson Road.

19 It's just across -- along Old Tucson Road is
20 where we would intend to take the preferred alignment, go
21 behind the warehouses to avoid all this section along Grand
22 Avenue to the south.

23 If you look south of where we're located, that is
24 the gas station that was in the pictures from the flyover
25 yesterday and the canopy. If you look further south, you'll

1 see more of the congestion along Grand Avenue.

2 MR. WARNER: If you will allow me to point out a
3 couple of pieces of infrastructure that will help orient
4 you, the railroad tracks are on the other side in that wash
5 over there, on the other side.

6 This turning structure that is between Old Tucson
7 Road and Grand Avenue, which is right in front of us, is the
8 point of departure for the preferred alternative, and then
9 it bails off to the east, over the railroad tracks and then
10 navigates behind some of those areas that we saw before.

11 MR. FOREMAN: You said the preferred alternative.
12 It's the preferred route but the new line?

13 MR. WARNER: That's right, the preferred route.

14 MR. FOREMAN: That's where it would depart from
15 the present line, the existing line. You can see the
16 existing line coming down Old Tucson Road?

17 MR. WARNER: That's right. The existing line
18 right now is right over our heads and passes down Grand
19 Avenue here, comes to these structures just north of us,
20 crosses back over and then continues on to Old Tucson Road.

21 MR. FOREMAN: I notice also, right in front of
22 us, a sign indicating that there is a natural gas line,
23 which we are within a few feet of, and then we are standing
24 right next to what appears to be a series of pipes. This is
25 natural gas?

1 MR. BECK: This is a natural gas takeoff pump.
2 The gas line is probably more or less underneath us.

3 MR. PALMER: There wasn't the same setback
4 requirement or space differential between the power line and
5 gas line? It had to be, in the past, at least 100 feet.

6 MR. BECK. I'm not sure when the power line went
7 up versus that gas line. When this line was put in, in the
8 1950s through the '60s -- it was put in the late '50s, early
9 '60s, there was probably no separation requirement at that
10 time.

11 MR. MANDELL: The standard practice now is 100
12 feet now.

13 MR. BECK: That's a condition that the committee
14 has put on.

15 MR. WONG: Mr. Beck, I'm trying to visualize the
16 preferred route which deviates from the existing route. I'm
17 looking to the east.

18 MR. BECK: You're looking east towards Old Tucson
19 Road.

20 MR. WONG: Does it go around the trailer homes?

21 MR. WARNER: Behind it.

22 MR. BECK: Slightly to the east and behind the
23 trailers that are there.

24 MR. WONG: Does it go out the other side of the
25 hill?

1 MR. BECK: No. It would angle probably
2 approximately a 45-degree angle from Grand Avenue going back
3 to that turn structure between Grand Avenue approximately 45
4 degrees. That will make it just to the left of the trailer
5 that's across the street from where we're standing.

6 MR. WONG: How many residences are going to be that
7 close to that preferred route which wraps around the existing
8 route?

9 MR. WARNER: There aren't any residences over
10 there.

11 MR. WONG: That's the only one, that one trailer
12 home, and they're actually aware of that proposal?

13 MR. WARNER: They have been contacted as part of
14 our outreach program with mailings and the -- we had mailings
15 both for residences and property owners.

16 MR. BECK: I'm not sure that's a residential
17 structure. I think it's part of that -- whether it's a
18 business or community-type organization over there.

19 MR. WONG: So there are no residences in that
20 vicinity?

21 MR. WARNER: That's all commercial development.

22 MR. WONG: When we get back to the meeting, to the
23 resort site, talk about the notices and participants of that
24 public hearing in this vicinity please.

25 MR. WARNER: Yes.

1 MR. FOREMAN: Any other questions or comments?

2 MR. BECK: I'd just like to point out, from this
3 point, we'll head up Grand Avenue to Old Tucson Road on the
4 north end, head back across to the east on River Road, up to
5 Ruby Road. We'll turn to the west, go down to the crossing
6 of the existing alignment, turn around, no stop. Come back
7 to east Pendleton Road, head north on Pendleton Road to the
8 Sonoita substation.

9 I believe we are also skipping that stop. So
10 we'll drive by the Sonoita Substation and continue on up to
11 our next stop.

12 MR. FOREMAN: Great.

13 STOP NUMBER EIGHT:

14 MR. FOREMAN: Stop number eight, it's 11:44. The
15 record should reflect we stopped for a restroom break at a
16 service station area on Rio Rico Road just east --

17 MR. BECK: On Ruby Road, just west of Cortaro
18 Wash, east of I-19.

19 MR. FOREMAN: So we had a little delay there.
20 And now we've come down -- we drove by the Sonoita
21 Substation, and then we have driven on to -- this is the
22 Canez Substation.

23 We are here in the shade of a nice large pole.
24 Tell us where we are and what is the significance here.

25 MR. BECK: This is the existing alignment. As

1 you can see to the south, this is a portion that had been
2 clear-cut. To the north, there's a section that hasn't been
3 clear-cut because of residential desires.

4 As you heard, there was some topping of trees to
5 the extent needed for the five-year review cycle. So we
6 will definitely need to be back here within five years to
7 trim any trees that have grown up in the clearance zone.

8 The preferred route, coming from the north, came
9 along the railroad. The railroad is to the west on the
10 other side of the substation. We would have come into the
11 substation from the railroad probably along this
12 distribution alignment.

13 The distribution line is directly west of the
14 substation, and the intent was to go back out on that same
15 alignment and head south on the preferred alignment along
16 the railroad.

17 As we said in testimony, UNS is okay with using
18 the existing alignment coming up to this point. We still
19 have a preference to go down to the railroad heading south
20 because of encroachment.

21 We had an opportunity to see some of those along
22 Willow Drive and coming along Pendleton. If you look to the
23 east of the bus, there are some poles up on the hillside.
24 You can see the extreme nature of trying to get access to
25 some of those poles.

1 MR. FOREMAN: It appears to me that the pole
2 placement, for the alternative route, would have been a much
3 higher elevation than the pole placement for the preferred
4 route in the area between, let's say, Ruby Road and the
5 Sonoita substation.

6 MR. BECK: Between Ruby Road and the Sonoita
7 substation, along the alternate route, we would be going
8 along the Pendleton Road right-of-way.

9 As you saw, coming along that road, there are a
10 lot of bends and turns in the road, which would require
11 angled structures in the line, larger structures, but they
12 would be rather tall structures compared to what is there
13 now, which is the distribution line.

14 MR. FOREMAN: It appears that the disparity in
15 elevation, between the preferred route and the present route
16 or alternative route, goes down. I'm referring from the
17 Sonoita substation north to the Canez substation. In that
18 area, the disparity in elevation goes down.

19 MR. BECK: Correct. I was thinking -- I was
20 thinking south of Sonoita. But north of Sonoita --

21 MR. FOREMAN: Going south of Sonoita, it looked
22 liked the alternative route was much higher than the
23 preferred route. North of Sonoita to Canez, it looks like
24 it's a little bit higher, but it's not -- there isn't as
25 great a disparity as there is south of Sonoita; is that

1 accurate?

2 MR. WARNER: South of Sonoita is following the
3 railroad tracks down to the Sonoita substation down into the
4 valley. That's the preferred route. The alternative route
5 follows the road we drove in on. That's Pendleton Drive all
6 the way down to Ruby. We were actually on that line.

7 MR. FOREMAN: That is much higher in elevation
8 than the preferred route at that point; correct?

9 MR. WARNER: It's a little higher but not much.
10 See it's at the river. It's near the river elevation. So
11 the river is actually flowing, but this actually crosses the
12 river. So it's not very much higher.

13 MR. FOREMAN: Now, the Bosque area that we've
14 heard so much about --

15 MR. WARNER: This is it. Most of the people who
16 came to the meeting and spoke are located from this
17 point north along the line.

18 Now let me also -- this is Mike Warner -- let me
19 also point out -- and you can see it through the substation
20 and at ground level. You can see Marshall's hat walking in
21 the distance. He's walking down to the railroad
22 right-of-way. You can see the railroad grade right there.

23 The distribution line, you can see that it goes
24 right or left. The second pole outside of the substation,
25 that's the distribution line that runs adjacent to the

1 railroad right-of-way and there's a clearing that protects
2 that line and there's an access road that runs down to that
3 area.

4 If you want to walk down there and look at that,
5 it's nearby. That gives you a good idea of what that route
6 looks like.

7 MR. FOREMAN: That route is the preferred route?

8 MR. BECK: That route is identified as our
9 preferred route.

10 MR. FOREMAN: Now one thing -- and we talked a
11 little bit about this yesterday -- there's no specific
12 reference, in the notices, to a juncture between the
13 preferred route and the present or alternative route at this
14 point; is that correct?

15 MR. BECK: Well, I think the question that was
16 raised and discussed was that if we were to extend south of
17 Canez and then try to connect over to the preferred route,
18 like was suggested in the subject comment, was that that
19 probably could have a notice issue, but it was always
20 intended to be a connection between the preferred and Canez
21 substation. There was always a connection there.

22 MR. FOREMAN: But in looking at your map, I did
23 not notice a line going from the Canez substation to the
24 preferred route.

25 MR. WARNER: I think in the overlay we provided,

1 I think that was illustrative in some respects. I think the
2 terminus of the segment is fairly clearly described as being
3 Canez. So it has to connect into Canez.

4 MR. FOREMAN: But the observation I wanted to
5 make, it's 100 yards and there's already a clear overhead
6 line going -- connecting to the route.

7 So it's obvious that this is used as a line.
8 That's a factor I think we ought to discuss when we discuss
9 the appropriateness of the notices.

10 MR. WONG: Mr. Chairman, as we approached,
11 driving here to the Canez site, I saw H-frames along the
12 existing route, right abutting to the backyards of a series
13 of homes, including some structures directly beneath and
14 fences that encroach. Are those homeowners aware of what is
15 going on with this project?

16 MR. BECK: We have notified them through the
17 notification process.

18 MR. WONG: If you also could talk about that when
19 we get back to the resort meeting site to talk about their
20 notices, their participation in the public hearing.

21 MR. WARNER: Let me add that we turned around at
22 the substation site. That was one of the locations for the
23 public meetings. So many of those residents did attend and
24 express their preferences in that meeting or in those
25 meetings.

1 MR. FOREMAN: Was that one of the reasons that
2 you selected the preferred route, at least from this point
3 south, to be along the railroad tracks rather than up where
4 the existing line is?

5 MR. WARNER: Yes. Let me add some clarity about
6 what was discussed in the meeting by one of the members of
7 the public, and a letter was submitted recommending to
8 utilize this existing route.

9 Let me describe to you -- let me describe so you
10 can understand what we're saying. It was to use the
11 existing route and continue the existing route through this
12 location, to a point about a half a mile farther up and jump
13 back to the railroad right-of-way and use the preferred
14 route.

15 MR. WONG: That would avoid immediate backyards
16 of the residences?

17 MR. WARNER: Yes.

18 MR. FOREMAN: Most of the -- well, all the people
19 that came and talked about the front yard/back yard
20 situation I thought lived north of here.

21 MR. WARNER: That's correct.

22 MR. BECK: I think that clarifies the area to the
23 south where they suggested we go down. They suggested we go
24 down there. There's agricultural fields along that.
25 There's really no residences along that portion of the route

1 until you get to the other side of Pendleton. We would
2 probably go west, this side of Pendleton.

3 MR. WONG: That would bypass the residences and
4 abandon the H-frames that straddle between the backyards of
5 the residences?

6 MR. BECK: That's correct. One thing I didn't
7 note, if you noticed on the bus, on Willow Drive, that was
8 the stretch north of the Sonoita substation where we talked
9 about encroachment, you see the distribution lines that are
10 hanging. That distribution went on to its own separate
11 distribution line. There was only a short stretch from that
12 substation up to that point where they share the substation.

13 When we were going to be clearing the property,
14 where we cleared it, it was only the property owners that
15 said okay, go for it. The property owners, where we didn't
16 do, they said we don't want to lose all this vegetation. We
17 said we'll do a five-year trim cycle.

18 Generally in five years we'll be back trimming
19 trees. We'll be looking to see if there any encroachment
20 into the safety route. We figure within five years we'll
21 have to trim those trees again. Where it's clear-cut, we
22 shouldn't have to.

23 MR. MANDELL: Maybe you can answer this when we
24 get back, but from a legal perspective, don't safety
25 requirements take precedence over the homeowners' wishes?

1 MR. BECK: Safety requirements are very, very
2 specific as to what the clearance requirements are, and I
3 can discuss it a little bit. When they are near the pole,
4 your vegetation needs to be lower and lower. These wires
5 are pretty high.

6 MR. MANDELL: Compared to the clear-cut section,
7 the height of those trees is not a safety concern at this
8 point?

9 MR. BECK: No.

10 MR. MANDELL: When would they be?

11 MR. BECK: I said whenever they get to clearance
12 zone, not knowing what the clearance is right now.

13 MR. MANDELL: What is the generic railroad
14 clearance zone?

15 MR. BECK: I've got that back -- we can address
16 that.

17 MR. EBERHART: If the new route goes along this
18 existing route, how much higher will the wires be?

19 MR. BECK: In this section, probably 15 to
20 20 feet higher.

21 MR. EBERHART: And the opportunity to combine the
22 distribution with the transmission lines, would that be
23 possible? I think I asked that yesterday.

24 MR. BECK: There's a possibility. Our preference
25 is not to because of a communications issue. What we have

1 run into historically, we'll build a line and we have
2 distribution on this line and we have an obligation to allow
3 communications to go on it, and then we run into clearance
4 problems from communications.

5 MR. EBERHART: I can talk about this at the
6 meeting.

7 MR. FOREMAN: Mr. Magruder.

8 MR. MAGRUDER: I walked down to the railroad
9 tracks. Can I record my observations?

10 MR. FOREMAN: You can testify to that at the
11 hearing.

12 MR. MAGRUDER: Okay.

13 MR. FOREMAN: Any other questions?

14 MR. BECK: From this point, we'll proceed to the
15 next stop, which is the north end of our preference
16 alignment where it intersects with the railroad tracks, more
17 or less north end of the Bosque area that was discussed in
18 the public comments.

19 STOP NUMBER NINE:

20 MR. FOREMAN: It's 12:13. We are at stop nine.
21 Tell us where we are and what we see.

22 MR. BECK: We are basically along our preferred
23 alignment just west of Pendleton Road. If you look towards
24 the west, you see piles of material. Beyond those are the
25 railroad tracks. That's the distribution line running along

1 the railroad tracks, which is the alignment we identified as
2 the preferred alignment. This is giving you some
3 perspective using the existing alignment in this area.

4 MR. FOREMAN: And the existing alignment you can
5 see as you look toward the east.

6 MR. BECK: Looking towards the east, the existing
7 alignment is up on the hill. It extends back from that
8 point to the southeast, just east of us, back in the trees.
9 As we came through, you may have seen there was that
10 existing alignment.

11 MR. WONG: Mr. Beck, looking at the existing
12 route, which is also your preferred route, the existing
13 poles seem to be around the height of the hill, but the new
14 poles will be double the height?

15 MR. BECK: No. The new poles will be 15 to
16 20 feet higher.

17 MR. FOREMAN: The existing route is an
18 alternative route; is that correct?

19 MR. BECK: That's the way we have identified it.

20 MR. WARNER: At the point that structure departs
21 from the existing line, that is the railroad preferred
22 route. So as it comes this direction, it will be the
23 preferred route, but the new alignment is away from the
24 existing route.

25 MR. FOREMAN: South of here, to the right, as we

1 look east, the existing alignment is an alternative route?

2 MR. BECK: The blue line.

3 MR. FOREMAN: The gold line goes from somewhere
4 up there, across here to the distribution line, which we see
5 along the railroad tracks, and follows it on down?

6 MR. WARNER: Yes.

7 MR. FOREMAN: You've indicated you're comfortable
8 with either line between here and our last stop?

9 MR. BECK: Yes.

10 MR. FOREMAN: And an individual that came during
11 our public comment session and talked about the Bosque area
12 was between this location and the last location that we were
13 at?

14 MR. BECK: Between this area and the Canez sub,
15 which is where we stopped.

16 MR. WARNER: And this area, between here and
17 about halfway between the Canez sub, is one landowner. And
18 then the rest of the landowners are pretty much on the other
19 side of that second half portion, just north of it.

20 MR. FOREMAN: Any other questions?

21 MR. MAGRUDER: May I point out there's a
22 communications line on that distribution?

23 MR. FOREMAN: You can point it out and talk about
24 it later. We are going to call a halt to the hearing before
25 the committee members engage further in the cow chip tossing

1 contest that's been started.

2 MR. BECK: The intent is to head back to
3 Pendleton, to Rio Rico and back to the resort.

4 MR. FOREMAN: Given the time we now have, I'm
5 thinking we'll reconvene at 2 o'clock.

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C E R T I F I C A T E

I, Diane Laur, certify that I took the shorthand notes in the foregoing matter; that the same was transcribed under my direction; that the preceding pages of typewritten matter are a true, accurate and complete transcript of all the matters adduced, to the best of my skill and ability.

DIANE LAUR

