

1 BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LS-447

2 IN THE MATTER OF THE) Docket No.
3 APPLICATION OF BACCARA POWER,) L-21369A-25-0222-00253
4 LLC, IN CONFORMANCE WITH THE)
5 REQUIREMENTS OF ARIZONA) Case No. 253
6 REVISED STATUTES 40-360 ET.)
7 SEQ., FOR A CERTIFICATE OF)
8 ENVIRONMENTAL COMPATIBILITY)
9 AUTHORIZING THE CONSTRUCTION)
10 OF 700 MW NATURAL GAS-FIRED)
11 GENERATING FACILITY LOCATED)
12 NEAR SURPRISE, IN)
13 UNINCORPORATED MARICOPA COUNTY,)
14 ARIZONA.) PREFILING
15) CONFERENCE

16

17 At: Phoenix, Arizona

18 Date: October 7, 2025

19 Filed: October 28, 2025

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

(Pages 1 through 13)

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By: Robin L. B. Osterode, CSR, RPR

Arizona CR No. 50695

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INDEX TO EXHIBITS

2 NO.

DESCRIPTION

IDENTIFIED

3 1 Map

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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 11:00 a.m. on the 7th of
5 October 2025, with all participants appearing via
6 videoconference.

7

8 BEFORE: ADAM STAFFORD, Chairman

9

10 APPEARANCES:

11 For the Applicant:

12 MOYES SELLERS & HENDRICKS
13 By: Jason Moyes
14 1850 North Central Avenue, Suite 1100
15 Phoenix, Arizona 85004

16 Also present:

17 Tod Brewer, Assistant to Chairman Stafford
18 Tony Burley, Applicant
19 Sarah Justus, KP Environmental
20 Erin Kvist, Moyes, Sellers
21 Julie Larsen, Moyes, Sellers
22 Kenda Pollio, KP Environmental

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

3 Now's the time set for the prefiling
4 conference for the Project Baccara. Let's start with
5 appearances.

6 Mr. Moyes.

7 MR. MOYES: Good morning, Mr. Chairman.
8 Jason Moyes with the law firm of Moyes, Sellers &
9 Hendricks. Along with me from my office is Ms. Julie
10 Larsen and Erin Kvist. And then we have, from the
11 project team, Tony Burley. And our environmental
12 consultants, Kenda Pollio and Sarah Justus.

13 CHMN STAFFORD: Thank you.

14 Now, have you identified any potential
15 intervenors for this case?

16 MR. MOYES: We have not had anybody say
17 officially that they're going to intervene yet.

18 CHMN STAFFORD: All right. And what's the
19 public interest been so far?

20 MR. MOYES: We've held, what, four open
21 houses now, four virtual open houses and one in-person
22 open house. We've had a pretty robust public response,
23 and we have active ongoing engagement with them. So
24 there probably will be quite a few members of the public
25 who will show up and comment.

1 CHMN STAFFORD: Okay. Now, you have one
2 exhibit for today, correct?

3 MR. MOYES: There should be one. I
4 forwarded a series of maps and also a list of information
5 to Tod. I don't know if you got all of those,
6 Mr. Chairman.

7 CHMN STAFFORD: Okay. I see the map that
8 has the project location and the sign location.

9 MR. MOYES: Okay. That's fine.

10 CHMN STAFFORD: Is that the only one you
11 need?

12 MR. MOYES: Yeah, there was another one
13 that just had information on the project and where we
14 plan to publish notice and things like that. But we can
15 discuss that all verbally.

16 CHMN STAFFORD: Okay. The one exhibit that
17 I have is admitted.

18 (Prefiling Exhibit 1 was admitted
19 into evidence.)

20 MR. MOYES: Thank you.

21 CHMN STAFFORD: Okay. And then you'll get
22 me a draft of the Notice of Hearing?

23 MR. MOYES: Yes.

24 CHMN STAFFORD: Okay. And what -- what
25 will you be publishing the notice in?

1 MR. MOYES: In the Arizona Republic and the
2 West Valley Republic.

3 CHMN STAFFORD: And what's the anticipated
4 file date for the application?

5 MR. MOYES: On October 17th.

6 CHMN STAFFORD: So you'll get me the draft
7 Notice of Hearing before then?

8 MR. MOYES: Yes.

9 CHMN STAFFORD: Okay. And then so the map.
10 You have four signs for the notice?

11 MR. MOYES: Correct.

12 CHMN STAFFORD: And then what are the
13 affected jurisdictions?

14 MR. MOYES: Project parcel lies within
15 Unincorporated Maricopa County. So the County
16 technically is the only legal jurisdiction. There is
17 some overlap with Luke Air Force Base. We require a
18 Military Compatibility Permit, but the County processes
19 that. And that's all.

20 CHMN STAFFORD: Okay. So you've provided
21 notice of the statute.

22 Now, the evidentiary hearing is going to be
23 where?

24 MR. MOYES: It will be at the Hilton
25 Phoenix Resort at the Peak, 7677 North 16th Street, in

1 Phoenix.

2 CHMN STAFFORD: Okay. And so the hearing
3 date --

4 Tod, what do we have for the start of the
5 hearing?

6 MR. BREWER: The hearing dates we have
7 scheduled, Mr. Chairman, are December 1st through
8 December 5th, with a prehearing conference scheduled for
9 November the 24th at 11:00 a.m.

10 CHMN STAFFORD: All right. So you'll have
11 the lodging for the out-of-town committee members and the
12 virtual link for the hearing to me by the time of the
13 prehearing conference?

14 MR. MOYES: Yes.

15 CHMN STAFFORD: Okay. All right. You'll
16 need to submit a plan for a tour by the time of the
17 prehearing conference, and file it in the docket. I
18 think -- we'll see what the application looks like and
19 what the -- how much comment we get to see if we do a
20 tour.

21 What -- how far is the site from where
22 we're holding the hearing?

23 MR. MOYES: Sarah, do you know that off the
24 top of your head?

25 MS. JUSTUS: I do. It's approximately

1 20 miles.

2 CHMN STAFFORD: Okay.

3 MS. JUSTUS: So if we were driving it for a
4 route tour, depending on traffic, probably 30 minutes or
5 so.

6 CHMN STAFFORD: Okay. All right. So be
7 prepared. We'll discuss whether we want to do it on
8 Monday. And if we do a tour, it will that Tuesday
9 morning.

10 MR. MOYES: Certainly.

11 CHMN STAFFORD: All right. And then I'll
12 get the prehearing conference set. And you said that you
13 would file the application on the 17th of October?

14 MR. MOYES: Yes.

15 CHMN STAFFORD: And the Procedural Order --
16 so you'll send me a draft CEC by the time of the
17 prehearing conference. If you send the Word copy, that
18 will speed things along at that time.

19 Okay. So we're planning to do a public
20 comment on the first day at 5:30 p.m. So you anticipate
21 some -- quite a bit of public comment, then?

22 MR. MOYES: I would expect that, yes.

23 CHMN STAFFORD: Are there any public
24 officials that will be making comment?

25 MR. MOYES: Not that we've been made aware

1 of yet.

2 CHMN STAFFORD: Okay. And what about the
3 permit status?

4 MR. MOYES: The property is already zoned
5 industrial, the appropriate zoning.

6 CHMN STAFFORD: So we'll need a --

7 MR. MOYES: And, again, there's that -- the
8 Military Compatibility Permit would fall under that as
9 well.

10 CHMN STAFFORD: And that's -- you said the
11 County handles that?

12 MR. MOYES: Correct.

13 CHMN STAFFORD: Okay. And then what
14 about -- do you need an Air Permit from the County as
15 well?

16 MR. MOYES: We do. We have -- we're hoping
17 to have a draft Air Permit in time for the hearing. And
18 that's what the calendar is showing we should be ready
19 for.

20 CHMN STAFFORD: Okay. All right. So I
21 assume you'll have Peaks Audio there for the audiovisual
22 needs for the hearing?

23 MR. MOYES: Yes, all of our usual setup.

24 CHMN STAFFORD: Okay. With the iPads
25 and -- for the exhibits. I just need, like, a hard copy

1 of the exhibits, one for me and one for the court
2 reporter.

3 What's the amount of the filing fee for
4 this one?

5 MR. MOYES: \$10,000.

6 CHMN STAFFORD: Okay. The Commission's
7 obligated by statute to pay the cost of reporting and
8 transcribing any application hearing, as well as the
9 actual and necessary expenses incurred by the committee
10 members in connection with their participation at
11 committee meetings from the filing fee.

12 Costs and fees exceeding the amount of the
13 applicant's fee may, with the applicant's consent, be
14 incurred by the committee and charged to the applicant.

15 Does the applicant consent to pay the
16 Commission those costs in excess of the filing fee?

17 MR. MOYES: They do.

18 CHMN STAFFORD: All right. And so what
19 kind of social media outreach are you anticipating for
20 this hearing?

21 MR. MOYES: Sarah, do you want to speak to
22 that?

23 MS. JUSTUS: Sure.

24 We've done Facebook ads for both rounds of
25 our public meetings, and we would intend to continue to

1 use Facebook ads to promote the hearing.

2 CHMN STAFFORD: Okay. And then for the
3 copies of the application, transcripts, what libraries
4 are those going to?

5 MR. MOYES: We will be using the Surprise
6 Regional Library, as well as the Luke Air Force Base
7 Library. Those are the two closest.

8 CHMN STAFFORD: The Surprise what?

9 MR. MOYES: Surprise Regional Library.

10 CHMN STAFFORD: Regional. Okay.

11 All right. So we'll do the three-day
12 turnaround for the transcripts.

13 Is there anything else we need to cover?

14 MR. MOYES: I don't believe so.

15 CHMN STAFFORD: Do you have everything you
16 need, Robin?

17 THE REPORTER: Yes.

18 CHMN STAFFORD: Tod, does that cover
19 everything?

20 MR. BREWER: It does, Mr. Chairman. Thank
21 you.

22 CHMN STAFFORD: All right. Anything
23 further, Mr. Moyes?

24 MR. MOYES: That's all, Mr. Chairman.
25 Thank you.

1 CHMN STAFFORD: All right. Excellent.

2 Well, I will look forward to seeing your application on
3 the 17th.

4 MR. MOYES: Sounds good.

5 CHMN STAFFORD: All right. With that, we
6 are adjourned.

7 (The hearing concluded at 11:10 a.m.)

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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)
3

4 BE IT KNOWN that the foregoing proceedings were
5 taken before me; that the foregoing pages are a full,
6 true, and accurate record of the proceedings all done to
the best of my skill and ability; that the proceedings
were taken down by me in shorthand and thereafter reduced
to print under my direction.

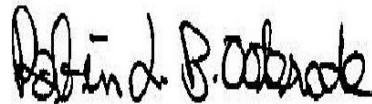
7 I CERTIFY that I am in no way related to any of
8 the parties hereto nor am I in any way interested in the
outcome hereof.

9 I CERTIFY that I have complied with the ethical
10 obligations set forth in ACJA 7-206(F)(3) and ACJA 7-206
(J)(1)(g)(1) and (2). Dated at Phoenix, Arizona, this
27th day of October, 2025.

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ROBIN L. B. OSTERODE, RPR
CA CSR No. 7750
AZ CR No. 50695

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I CERTIFY that Glennie Reporting Services, LLC,
has complied with the ethical obligations set forth in
ACJA 7-206(J)(1)(g)(1) through (6).

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