

ORIGINAL



0000208242

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF YUMA BN, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES, SECTIONS 40-360, ET. SEQ., FOR CERTIFICATES OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE ORCHARD SOLAR 230 KV TRANSMISSION LINE PROJECT AND ASSOCIATED INTERCONNECTION FACILITIES LOCATED IN YUMA COUNTY, ARIZONA.

Docket No. L-00000A-22-0313-00213

Case No. 213

Arizona Corporation Commission

NOTICE OF HEARING DOCKETED

DEC 20 2022

DOCKETED BY

MM

RECEIVED 2022 DEC 20 2:00 AZ CORP COMMISSION DOCKET CONTROL

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee (Committee) regarding the Application of Yuma BN, LLC (Applicant) for Certificates of Environmental Compatibility to authorize the Orchard Solar 230 kV Transmission Line Project (Project). The Project includes an approximately nine-mile transmission line and associated interconnection facilities from the Orchard Solar Facility to the existing APS Orchard Substation. All Project components are located in Yuma County, Arizona. A general location map of the Project is attached as Exhibit A.

The hearing will be held at the Holiday Inn - Yuma, 1901 East 18th Street, Yuma, Arizona, 85365. The hearing will begin on Monday, January 30, 2023, at 1:00 p.m. and will continue on Tuesday, January 31, 2023, and Wednesday, February 1, 2023, as necessary, beginning at 9:00 a.m. on each day through the completion of the hearing. If any revisions to the hearing schedule are required, they will be noticed on the Project website at https://brightnightpower.com/orchard/ and on the Arizona Corporation Commission (ACC) website at https://www.azcc.gov/arizona-power-plant/meeting-schedule.

1 PUBLIC COMMENT WILL BE TAKEN IN A SPECIAL EVENING  
2 SESSION ON MONDAY, JANUARY 30, 2023, BEGINNING AT 5:30 PM., VIA  
3 TELEPHONE, ZOOM OR IN PERSON AT THE HOLIDAY YUMA, 1901 EAST  
4 18<sup>TH</sup> STREET, YUMA, ARIZONA, 85365. PUBLIC COMMENT MAY BE TAKEN  
5 AT THE BEGINNING OF EACH HEARING DAY, OR AT OTHER TIMES  
6 DURING THE HEARING, AT THE DISCRETION OF THE CHAIRMAN OF  
7 THE COMMITTEE.

8 PLEASE BE ADVISED THAT ALL LOCAL AND STATE PUBLIC  
9 HEALTH AND SAFETY GUIDELINES WILL BE FOLLOWED DURING THE  
10 HEARING AND PUBLIC COMMENT SESSION. RESTRICTIONS ON PUBLIC  
11 ACCESS, SAFETY PROTOCOLS, AND REVISIONS TO THE HEARING  
12 SCHEDULE MAY OCCUR DUE TO PUBLIC HEALTH CONSIDERATION.

13 THE PUBLIC HAS THE OPTION TO WATCH THE HEARING ONLINE  
14 OR LISTEN TO THE HEARING VIA TELEPHONE. At least 24 hours in advance  
15 of the hearing, information regarding online and telephone hearing access, as well as any  
16 additional details regarding safety protocols or other revisions to the hearing schedule  
17 will be noticed on the Project website at <https://brightnightpower.com/orchard/>. The  
18 Chairman, may at his discretion, recess the hearing to a time and place to be announced  
19 during the hearing, or to be determined after recess. The date, time, and place at which  
20 the hearing will be resumed will be posted on the above-noted Project and ACC websites.

21 **NOTE: NOTICE OF ANY SUCH RESUMED HEARING WILL BE GIVEN;**  
22 **HOWEVER, PUBLISHED NOTICE OF SUCH A RESUMED HEARING IS NOT**  
23 **REQUIRED.**

24 If the Committee decides to conduct a tour, notice that includes a map and  
25 itinerary of any such tour will be available at the hearing and posted on the Project and  
26 ACC websites. Members of the public may follow the Committee on the tour. During the

1 tour, the Committee may hear testimony at stops on the tour concerning what is visible at  
2 stops and the relevance of the location and view to the Project. No other discussion or  
3 deliberation concerning the Application will occur during the tour. A court reporter or  
4 recording device will record any testimony taken on the tour for transcription. Public  
5 health and safety protocols specific for the tour will be included on the itinerary.

6 A map of the Project site and detailed information about project facilities and  
7 technology are contained in the Application, which is available for inspection at the  
8 following locations:

- 9 • ACC Docket Control Center, Phoenix Office, located at 1200 West  
10 Washington Street, Suite 108, Phoenix, AZ 85007
- 11 • The Project website: <https://brightnightpower.com/orchard/>
- 12 • Foothills Library, 13226 E. South Frontage Road, Yuma, AZ 85367
- 13 • Somerton Library, 240 Canal Street, Somerton, AZ 85350

14 The Applicant will make available final copies of the pre-filing conference, pre-  
15 hearing conference and hearing transcripts at each of the above locations and website.

16 Each county, municipal government, and state agency interested in the Project that  
17 desires to be a party to the proceedings shall, not less than ten (10) days before the date  
18 set for the hearing, file a Notice of Intent to Become a Party with the Director of Utilities,  
19 Arizona Corporation Commission, 1200 West Washington Street, Phoenix, AZ 85007.

20 Any domestic non-profit corporation or association formed in whole or in part to  
21 promote conservation or natural beauty, to protect the environment, personal health, or  
22 other biological values to preserve historical sites, to promote consumer interests, to  
23 represent commercial and industrial groups, or to promote the orderly development of the  
24 area in which the Project is located desiring to become a party to the proceedings shall,  
25 not less than ten (10) days before the date set for the hearing, file Notice of Intent to  
26

1 Become a Party with the Director of Utilities, Arizona Corporation Commission, 1200  
2 West Washington Street, Phoenix, AZ 85007.

3 The Committee or the Chairman, at any time deemed appropriate, may make other  
4 persons parties to the proceedings. Any person may make a limited appearance at the  
5 hearing by filing a statement in writing with the Director of Utilities, Arizona  
6 Corporation Commission, 1200 West Washington Street, Phoenix, AZ 85007, and the  
7 Chairman of the Committee at 2005 North Central Avenue, Phoenix, AZ 85007, not less  
8 than five (5) days before the date set for the hearing. A person making a limited  
9 appearance will not be a party or have the right to present testimony or cross-examine  
10 witnesses.

11 This proceeding governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-  
12 360.13 and Arizona Administrative Code (AAC) R14-3-201 to R14-3-220. No  
13 substantive communication, not in the public record, may be made to any member of the  
14 Committee. The written decision of the Committee will be submitted to the ACC  
15 pursuant to A.R.S. § 40-360.07. Any person intending to be a party to the proceedings on  
16 the matter before the ACC must be a party to the proceedings before the Committee.

17 ORDERED this 20th day of December, 2022.

18  
19 

20 \_\_\_\_\_  
21 Paul Katz, Chairman  
22 Arizona Power Plant and  
23 Transmission Line Siting Committee  
24 Assistant Attorney General  
25  
26

1 **CERTIFICATE OF MAILING**

2 Pursuant to A.A.C. R14-3-204, the **ORIGINAL** of the foregoing and 25 copies were  
3 filed this 20<sup>th</sup> day of December, 2022 with:

4 Utilities Division – Docket Control  
5 Arizona Corporation Commission  
6 1200 West Washington Street  
7 Phoenix, AZ 85007

8 COPIES of the above emailed/mailed this 20<sup>th</sup> day of December, 2022:

9 Robin Mitchell, General Counsel  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, AZ 85007  
13 rmmitchell@azcc.gov  
14 Counsel for Legal Division Staff

15 Elijah Abinah, Director  
16 Utilities Division  
17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, AZ 85007

20 Lisa L. Glennie  
21 Glennie Reporting Services, LLC  
22 1555 East Oranewood  
23 Phoenix, Arizona 85020  
24 [admin@glennie-reporting.com](mailto:admin@glennie-reporting.com)  
25 Court Reporter

26 Albert H. Acken  
Acken Law  
111 E. Dunlap Ave, Suite 1-172  
Phoenix, AZ 85020  
Attorney for YUMA bn, LLC

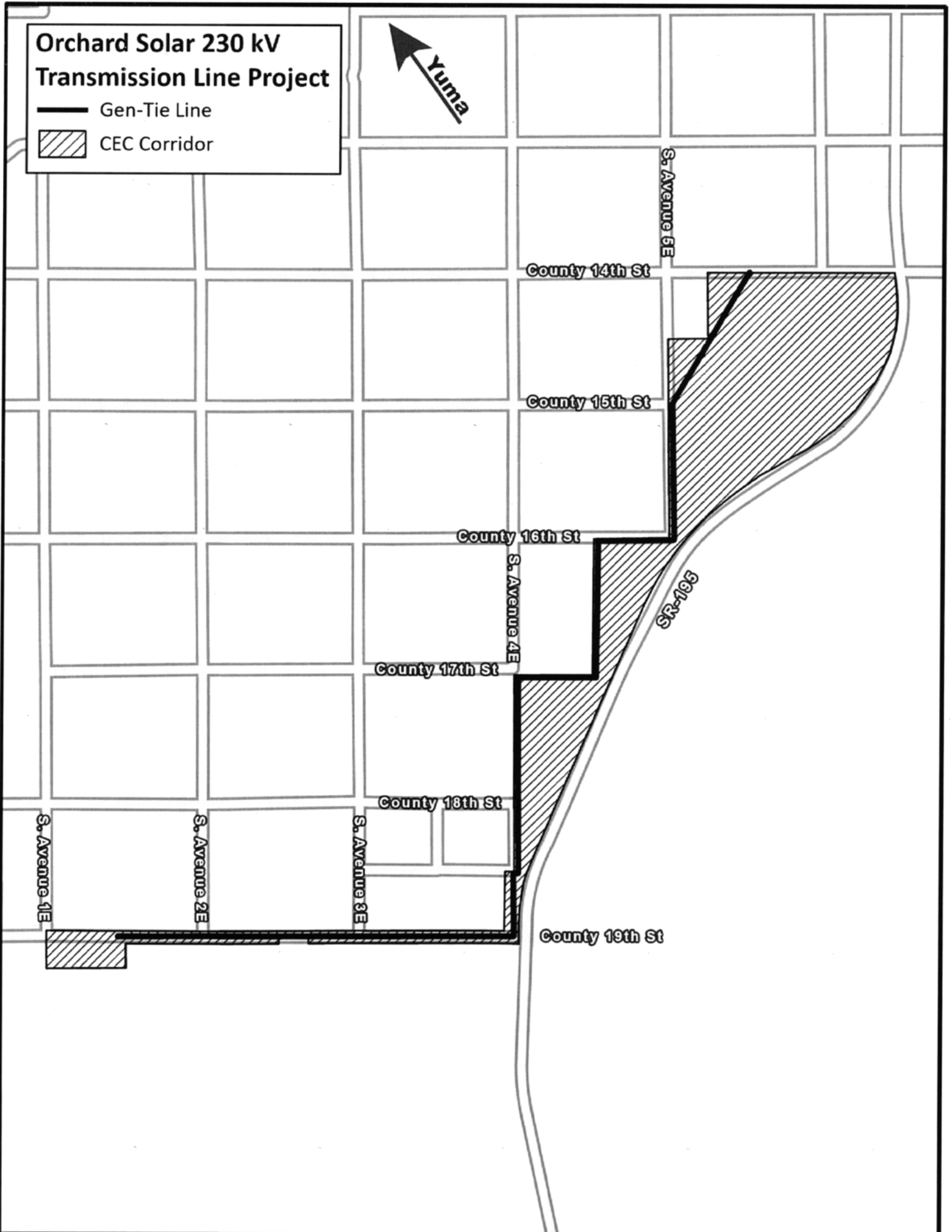
By 

**EXHIBIT A**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

# Orchard Solar 230 kV Transmission Line Project

- Gen-Tie Line
- ▨ CEC Corridor



S. Avenue 1E

S. Avenue 2E

S. Avenue 3E

S. Avenue 4E

S. Avenue 5E

County 14th St

County 15th St

County 16th St

County 17th St

County 18th St

County 19th St

SR-196