

1
2
3
4
5
6
7
8
9
10
11
12

**BEFORE THE ARIZONA POWER PLANT
AND TRANSMISSION LINE SITING COMMITTEE**

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE MATTER OF THE APPLICATION OF UNS ELECTRIC, INC, IN CONFORMANCE WITH THE REQUIREMENTS OF A.R.S. § 40-360, ET SEQ., FOR A DISCLAIMER OF JURISDICTION, OR, IN THE ALTERNATIVE, A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE EXPANSION OF BLACK MOUNTAIN GENERATING STATION, A NATURAL GAS-FIRED, COMBUSTION TURBINE POWER PLANT NEAR KINGMAN, ARIZONA IN MOHAVE COUNTY.

Docket No. L-00000F-24-0056-00230

Case No. 230

NOTICE OF HEARING

2024 MAR 12 1 A 11: 07

AZ CORP COMMISSION
DOCKET CONTROL

RECEIVED

NOTICE OF HEARING

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee (“Committee”) regarding the Application of UNS Electric, Inc. (“UNSE” or “Applicant”) for a disclaimer of jurisdiction or, in the alternative, a Certificate of Environmental Compatibility (“CEC”) to authorize construction of the Black Mountain Expansion Project (“Project”).

The Project will add 200 megawatts (“MW”) of natural-gas-fired generation, comprised of four new natural gas units (each with a nameplate capacity rating of 50 MW), to the existing Black Mountain Generating Station, a natural-gas-fired combustion turbine power plant near Kingman, Arizona in Mohave County. A map of the Project is attached as **Exhibit A**. This Application is in two parts: (1) a request that the Committee disclaim jurisdiction over the Project because the Project is not a “Plant” as defined by A.R.S. § 40-360(9) and a CEC is not required for its construction; or (2) if the request for a disclaimer is denied, a request that the Committee issue a CEC for

1 the Project. The scope of the public hearing shall be limited to part (1) of the
2 Application, UNSE's request for a disclaimer of jurisdiction.

3 The hearing will be held in Hearing Room One at the Arizona Corporation
4 Commission ("Commission"), 1200 W. Washington Street, Phoenix, AZ 85007. **The**
5 **hearing will begin on Wednesday, April 24, 2024, at 10:00 a.m.** If any revisions to
6 the hearing schedule are required, they will be noticed on the Project website
7 at www.uesaz.com/black-mountain, and on the Commission's website
8 at: azcc.gov/arizona-power-plant/meeting-schedule.

9 **PUBLIC COMMENT ON THE REQUEST FOR A DISCLAIMER OF**
10 **JURISDICTION WILL BE TAKEN AT THE HEARING AT THE DISCRETION OF**
11 **THE CHAIRMAN OF THE COMMITTEE. PLEASE BE ADVISED THAT ALL**
12 **LOCAL AND STATE PUBLIC HEALTH AND SAFETY GUIDELINES WILL**
13 **BE FOLLOWED DURING THE HEARING AND PUBLIC COMMENT**
14 **SESSION. RESTRICTIONS ON PUBLIC ACCESS, SAFETY PROTOCOLS,**
15 **AND REVISIONS TO THE HEARING SCHEDULE MAY OCCUR DUE TO**
16 **PUBLIC HEALTH CONSIDERATIONS.**

17 **THE PUBLIC HAS THE OPTION TO WATCH THE HEARING ONLINE**
18 **OR LISTEN TO THE HEARING VIA TELEPHONE.** At least 24 hours in advance
19 of the hearing, information regarding online and telephone hearing access, as well as
20 any additional details regarding safety protocols or other revisions to the hearing
21 schedule, will be noticed on the Project website at www.uesaz.com/black-mountain.

22 The Chairman may, at his discretion, recess the hearing to a time and place to be
23 announced during the hearing, or to be determined after the recess. The date, time, and
24 place at which the hearing will be resumed will be posted on the above-noted Project
25 website and the Commission website. **NOTE: NOTICE OF ANY RESUMED**
26 **HEARING WILL BE GIVEN; HOWEVER, PUBLISHED NOTICE OF SUCH A**
27 **RESUMED HEARING IS NOT REQUIRED.**

1 If the Committee denies the request to disclaim jurisdiction over the Project,
2 proceedings will be continued to allow Applicant time to request review of the
3 Committee's decision by the Commission. If the Applicant elects to proceed with a
4 request for a CEC after any such appeal, it will withdraw its present CEC Application
5 and file a new application. **NOTE: PUBLISHED NOTICE OF ANY NEW**
6 **APPLICATION AND HEARING WILL BE REQUIRED.**

7 No tour is planned at this time.

8 Maps of the Project site and information about project facilities are contained in
9 the Application, which is available for inspection at the following locations:

- 10 • Arizona Corporation Commission Docket Control Center, Phoenix
11 Office, 1200 West Washington Street, Suite 108, Phoenix AZ 85007
- 12 • The Project website: www.uesaz.com/black-mountain,
- 13 • Kingman Library, 3269 N. Burbank St., Kingman, AZ 86409
- 14 • Mohave County Offices, 700 W. Beale St., Kingman, AZ 86401

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

18 Each county, municipal government, and state agency interested in the Project
19 that desires to be a party to the proceedings shall, not less than ten (10) days before the
20 date set for the hearing, file a Notice of Intent to Become a Party with the Director of
21 Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix AZ
22 85007.

23 Any domestic non-profit corporation or association formed in whole or in part to
24 promote conservation or natural beauty; to protect the environment, personal health, or
25 other biological values; to preserve historical sites; to promote consumer interests; to
26 represent commercial and industrial groups; or to promote the orderly development of
27 the area in which the Project is located that desires to become a party to the proceedings
28

1 shall, not less than ten (10) days before the date set for the hearing, file a Notice of
2 Intent to Become a Party with the Director of Utilities, Arizona Corporation
3 Commission, 1200 West Washington Street, Phoenix AZ 85007.

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

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

19 ORDERED this 8th day of March, 2024.

20
21 

22
23 _____
24 Adam Stafford, Chairman
25 Arizona Power Plant and
26 Transmission Line Siting Committee
27 Assistant Attorney General
28

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
27
28

CERTIFICATE OF MAILING

Pursuant to A.A.C. R14-3-204, the **ORIGINAL** of the foregoing and 25 copies were filed this 12 day of March, 2024 with:

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

COPIES of the above emailed/mailed this 12 day of March, 2024:

Wesley Van Cleve, Interim General Counsel
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007
Counsel for Legal Division Staff

Britton Baxter and Ranelle Paladino, Directors
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Meghan H. Grabel
Elias Ancharski
Osborn Maledon
2929 N. Central Ave, 21st Floor
Phoenix, AZ 85012
mgrabel@omlaw.com
eancharski@omlaw.com
Counsel for Applicant

Megan Hill
88 E. Broadway Blvd, HQE910
Tucson, AZ 85701
Megan.Hill@tep.com
Counsel for Applicant

1 Lisa L. Glennie
2 Glennie Reporting Services, LLC
3 1555 East Oranewood
4 Phoenix, AZ 85020
5 admin@glennie-reporting.com
6 Court Reporter

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
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
27
28



NOT TO SCALE

ARIZONA
68

Aztec Rd

93

40

City of Kingman

Shinarump Dr

Oatman Hwy

Yucca Dr

Griffith Rd

Black Mountain
Generating Station

40

Bureau of
Land Management

This map is for planning purposes only.
UniSource makes no warranty of its accuracy.