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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KEVIN THOMPSON– CHAIRMAN
NICK MYERS - VICE CHAIRMAN
LEA MÁRQUEZ PETERSON
RACHEL WALDEN
RENE LOPEZ

Arizona Corporation Commission
DOCKETED
FEB 19 2025
DOCKETED BY

IN THE MATTER OF THE APPLICATION OF SNOWFLAKE SOLAR, LLC FOR APPROVAL OF A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY FOR THE SNOWFLAKE SOLAR INTERCONNECTION PROJECT TO CONNECT THE PLANNED SNOWFLAKE SOLAR ENERGY FACILITY TO THE REGIONAL GRID VIA THE CHOLLA SUBSTATION.

DOCKET NO. L-21330A-24-0241-00240

CASE NO. 240-B

DECISION NO. 79718

ORDER

February 5, 2025
Open Meeting

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360 et seq., after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of Environmental Compatibility ("CEC-240-B") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby approved as granted by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical, and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, and finds that granting CEC 240-B is in the public interest.

The Commission further finds and concludes that in balancing the broad public interest in this matter:

1. The Project is in the public interest because it aids the state in meeting the need for an adequate, economical, and reliable supply of electric power.

2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on CEC 240-B effectively minimize its impact on the environment and ecology of the state.

3. The conditions placed on CEC 240-B resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings and, as such, serve as the findings on the matters raised.

4. In light of these conditions, the balancing in the broad public interest results in favor of granting CEC 240-B.

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CEC 240-B ISSUED BY THE SITING COMMITTEE IS INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN THOMPSON

VICE CHAIRMAN MYERS

COMMISSIONER MARQUEZ PETERSON

COMMISSIONER WALDEN

COMMISSIONER LOPEZ

IN WITNESS WHEREOF, I, DOUGLAS R. CLARK, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 19th day of February, 2025.

DOUGLAS R. CLARK
Executive Director

DISSENT: _____

DISSENT: _____

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF SNOWFLAKE SOLAR, LLC, IN CON-FORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360, ET SEQ., FOR CERTIFICATES OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE SNOWFLAKE SOLAR INTERCONNECTION PROJECT, WHICH CONSISTS OF A NEW, UP TO 15-MILE-LONG, 500KV TRANSMISSION LINE LOCATED NORTH OF INTERSTATE 40 WITHIN PORTIONS OF THE CITY OF HOLBROOK AND PORTIONS OF UNINCORPORATED NAVAJO COUNTY, ARIZONA, CONNECTING THE PLANNED SNOWFLAKE SOLAR ENERGY FACILITY TO THE EXISTING ARIZONA PUBLIC SERVICE CHOLLA SUBSTATION.	Docket No. L-21330A-24-0241-00240 CASE NO. 240 CEC-240B **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

A. INTRODUCTION

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held public hearings on December 9 through December 11, 2024, in Flagstaff, Coconino County, Arizona, in conformance with the requirements of the Arizona Revised Statutes ("A.R.S.") § 40-360 *et seq.* for the purpose of receiving evidence and deliberating on the October 25, 2024 Application of Snowflake Solar, LLC ("Applicant") for Certificates of Environmental Compatibility ("Certificates" or "CEC") authorizing construction of a new 500 kilovolt ("kV") transmission line within portions of the City of Holbrook and portions of unincorporated Navajo County, Arizona (the "Project").

The following members and designees of members of the Committee were present at one or more of the hearing days for the evidentiary presentations, public comment, and/or

for the deliberations:

Adam Stafford	Chairman, Designee for Arizona Attorney General Kris Mayes
Gabby Saucedo Mercer	Designee of the Chairman, Arizona Corporation Commission ("Commission")
Nicole Hill	Designee for Director, Governor's Energy Office
David French	Designee for Director, Arizona Department of Water Resources
Margaret "Toby" Little	Appointed Member, representing the general public
David Kryder	Appointed Member, representing agricultural interests
Dave Richins	Appointed Member, representing the general public
Jon H. Gold	Appointed Member, representing the general public

The Applicant was represented by Jeffrey W. Crockett of Crockett Law Group PLLC. The following party was granted intervention pursuant to A.R.S. § 40-360.05, and appeared through counsel: Arizona Public Service Company ("APS"), represented by Linda J. Benally and Farris Gillman of Pinnacle West Capital Corporation.

At the conclusion of the hearing, the Committee, after considering the (i) Application, (ii) evidence, testimony, and exhibits presented by the Applicant, and (iii) comments of the public, and being advised of the legal requirements of A.R.S. §§ 40-360 through 40-360.13, upon motion duly made and seconded, voted 8 to 0 to grant the Applicant, its successors and assigns, these Certificates for construction of the Project.

B. PROJECT DESCRIPTION

The Project consists of building a new single circuit 500 kV alternating current generation intertie transmission line (the "Gen-Tie") up to 18 miles long. The Project will connect the planned Snowflake Solar Energy Facility ("Solar Facility"), a 1,000 MW solar photovoltaic generating facility with a 1,000 MW battery energy storage system, from the non-jurisdictional Solar Facility substation ("Solar Facility Substation") to the existing

APS Cholla Substation. The Project will be located on private property, trust lands administered by Arizona State Land Department ("ASLD"), City of Holbrook property, and Arizona Department of Transportation ("ADOT") right-of-way ("ROW"). The Solar Facility and Solar Facility Substation will be located on private lands entirely within unincorporated Navajo County.

Two Certificates are being approved for the Project to allow for the future transfer of ownership of a portion of the Project to APS. The Applicant will own the portion of the Gen-Tie from the Solar Facility Substation to the point of change of ownership ("POCO") ("CEC-240A"), and APS will own the portion of the Gen-Tie from the POCO to the point of interconnection at the Cholla Substation ("CEC-240B"). The portion of the Project covered by CEC-240A will be constructed, owned, and operated by the Applicant. The portion of the Project covered by CEC-240B will be constructed, owned, and operated by APS.

Route and Corridor

CEC-240A: The Gen-Tie route for CEC-240A will begin at the Solar Facility Substation approximately 2.5 miles northwest of Interstate 40 ("I-40") and approximately 6.5 miles north of downtown Holbrook. From the Solar Facility Substation, the Gen-Tie proceeds southwest approximately 2.9 miles, then south approximately 2.0 miles, then southwest approximately 2.5 miles, then west approximately 1.6 miles before turning southerly to cross I-40. The I-40 crossing shall be immediately west of exit 283, Perkins Valley Road, and shall be approximately 0.2 mile in length. After crossing I-40, the Gen-Tie proceeds west approximately 2.3 miles, then turns northwest approximately 1.6 miles to the POCO with APS, as shown on **Exhibit A**. The portion of the route covered by CEC-240A is approximately 14 miles long.

The corridor for CEC-240A begins at the Solar Facility Substation and will end at the eastern edge of the existing APS Cholla-Snowflake 69kV line. The proposed width of the corridor for CEC-240A is between 300 feet to 1,500 feet, as shown on **Exhibit A**.

CEC-240B: The route of the westernmost segment of the Project from the POCO to the point of interconnection at the Cholla Substation covered by CEC-240B is planned to run south of Cholla Lake and north of the existing Burlington Northern Santa Fe Railway, as shown on **Exhibit A**. The total length of the portion of the route covered by CEC-240B is approximately 4 miles.

The corridor width is variable throughout this area as it generally covers the APS-owned land with a maximum width of 4,640 feet and a minimum width of 840 feet. The corridor for CEC-240B starts at approximately 0.5 miles east of the existing APS Cholla-Snowflake 69kV line and as it proceeds west the corridor widens to encompass the Cholla Power Plant property, which includes both the northern and southern sides of Cholla Lake, with the southern boundary of the corridor being the BNSF railroad and I-40 as the northern boundary as shown on **Exhibit A**.

The total length of the Project shall be up to 18 miles. The Applicant requests approval of an approximately 300-foot-wide ROW within the corridor. The Applicant anticipates constructing four to nine structures per mile (with an estimated total of 85 structures, depending upon final engineering and design) spaced approximately 300 to 1,900 feet apart with a height not exceeding 199 feet, all subject to final design and engineering.

CONDITIONS

This Certificate is granted upon the following conditions:

1. This authorization to construct the Project shall expire ten (10) years from the date this Certificate is approved by the Commission, with or without modification. Construction of the Project shall be complete, such that the Project is in-service within this ten-year timeframe. However, prior to the expiration of the time period, the Applicant may request that the Commission extend the time limitation.

2. In the event the Project requires an extension of the term(s) of this Certificate prior to completion of construction, the Applicant shall file such time extension request at

least one hundred and eighty (180) days prior to the expiration of the Certificate. The Applicant shall use reasonable means to promptly notify Navajo County, City of Holbrook, ASLD, ADOT, and all landowners and residents within a one (1) mile radius of the centerline of the Project, all persons who made public comment at this proceeding who provided a mailing or email address, and all parties to this proceeding. The notification provided will include the request and the date, time, and place of the hearing or open meetings during which the Commission will consider the request for the extension. Notification shall be no more than three (3) business days after the Applicant is made aware of the hearing date or the open meeting date.

3. During the development, construction, operation, maintenance, and reclamation of the Project, the Applicant shall comply with all existing applicable air and water pollution control standards and regulations, and with all existing applicable statutes, ordinances, master plans and regulations of any governmental entity having jurisdiction including, but not limited to, the United States of America, the State of Arizona, Navajo County, City of Holbrook, ASLD, ADOT, and their agencies and subdivisions, including but not limited to the following:

a. All applicable land use regulations;

b. All applicable zoning stipulations and conditions including but not limited to, landscaping and dust control requirements;

c. All applicable water use, discharge and/or disposal requirements of the Arizona Department of Water Resources and the Arizona Department of Environmental Quality;

d. All applicable noise control standards; and

e. All applicable regulations governing storage and handling of hazardous chemicals and petroleum products.

4. The Applicant shall obtain all approvals and permits necessary to construct, operate and maintain the Project required by any governmental entity having jurisdiction

including, but not limited to, the United States of America, the State of Arizona, Navajo County, City of Holbrook, ASLD, ADOT, and their agencies and subdivisions.

5. The Applicant shall comply with the Arizona Game and Fish Department ("AGFD") guidelines and recommendations for handling protected animal species, should any be encountered during construction and operation of the Project, and shall consult with AGFD or U.S. Fish and Wildlife Service, as appropriate, on other issues concerning wildlife. The Applicant commits to follow the minimization measures in Exhibit C, pages C-7 through C-10 of the Application, as applicable and feasible.

6. The Applicant shall design the Project's facilities to incorporate reasonable measures to minimize electrocution of and impacts to avian species in accordance with the Applicant's avian protection program. Such measures will be accomplished through incorporation of Avian Power Line Interaction Committee guidelines set forth in the current versions of *Suggested Practices for Avian Protection on Power Lines* and *Reducing Avian Collisions with Power Lines* manuals.

7. The issuance of a Certificate by the Commission is a state action pursuant to A.R.S. §§ 41-861 through 41-864, also known as the State Historic Preservation Act ("State Act") and is subject to review by the Arizona State Historic Preservation Office ("SHPO"). As a state agency, the Commission remains the responsible entity for compliance with the State Act.

A. The Applicant, on behalf of the Commission, shall consult with SHPO regarding the Project and its impacts on historic properties and construction shall not commence until SHPO has had an opportunity to review and comment.

B. If a Project involves federal funding, permitting, licensing, or approval pursuant to 36 CFR § 800.16(y), it may be a federal undertaking pursuant to Section 106 of the National Historic Preservation Act ("NHPA") (36 CFR Part 800). Section 106 of the NHPA requires SHPO concurrence on the adequacy of the federal agency's efforts to identify historic properties and establish an area of potential effects. If any part of the

Project is a federal undertaking, the federal agency shall consult with SHPO directly. The Applicant will provide SHPO with notice of federal agency involvement if not known prior to issuance of this Certificate.

8. If any archaeological, paleontological, or historical site or a significant cultural object is discovered on state, county, or municipal land during the construction or operation of the Project, the Applicant or its authorized representative shall promptly report the discovery to the Director of the Arizona State Museum ("ASM"), and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery as required by A.R.S. §41-844.

9. The Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize the destruction of native plants during the construction and operation of the Project.

10. The Applicant shall make every reasonable effort to promptly investigate, identify, and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the Project addressed in this Certificate and where such interference is caused by the Project, take reasonable measures to mitigate such interference. The Applicant shall maintain written records for a period of five (5) years of all complaints of radio or television interference attributable to operations, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notation on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained. Upon request, the written records shall be provided to the Staff of the Commission. The Applicant shall respond to complaints and implement appropriate mitigation measures. In addition, the Project shall be evaluated on a regular basis so that damaged insulators or other line materials that could cause interference are repaired or replaced in a timely manner.

11. Encounters of Human Remains.

A. If human remains and/or funerary objects are encountered during the course of any ground-disturbing activities related to the construction or operation of the Project, the Applicant shall cease work on the affected area of the Project and notify the Director of the ASM as required by A.R.S. § 41-865 for private land, or as required by A.R.S. § 41-844 for state, county, or municipal lands.

B. If human remains and/or funerary objects are encountered during the course of any ground-disturbing activities related to the construction or operation of the Project on federal land, the Applicant shall cease work on the affected area of the Project and notify the federal land manager as required by the Native American Graves Protection and Repatriation Act ("NAGPRA"; Public Law 101-601; 25 U.S.C. 3001-3013). The project shall not proceed without federal agency approval.

12. Within one hundred twenty (120) days of the Commission's decision approving this Certificate, the Applicant shall post signs in or near public rights-of-way, to the extent authorized by law, reasonably adjacent to the Project giving notice of the Project. Such signage shall be no smaller than a roadway sign. The signs shall advise:

a. The future site of the Project;

b. A phone number and website for public information regarding the Project; and

c. Refer the public to the Docket.

Such signs shall be inspected at least once annually and, if necessary, be repaired or replaced, and removed at the completion of construction.

The Applicant shall make every reasonable effort to communicate the decision either approving or disapproving the Certificate in digital media.

13. At least ninety (90) days before construction commences on the Project, the Applicant shall provide Navajo County, City of Holbrook, ASLD, ADOT, and known builders and developers who are building upon or developing land within one (1) mile of the centerline of the Project with a written description, including the approximate height

and width measurements of all structure types of the Project. The written description shall identify the location of the Project and contain a pictorial depiction of the facilities being constructed. The Applicant shall also encourage the developers and builders to include this information in their disclosure statements. Upon approval of this Certificate by the Commission, the Applicant may commence construction of the Project.

14. The Applicant shall use non-specular conductor and non-reflective surfaces for the transmission line structures on the Project.

15. The Applicant shall be responsible for arranging that all field personnel involved in the Project receive training as to proper ingress, egress, and on-site working protocols for environmentally sensitive areas and activities. Contractors employing such field personnel shall maintain records documenting that the personnel have received such training.

16. The Applicant shall follow the most current Western Electricity Coordinating Council ("WECC") and North American Electric Reliability Corporation ("NERC") planning standards, as approved by the Federal Energy Regulatory Commission ("FERC"), National Electrical Safety Code ("NESC") standards, and Federal Aviation Administration ("FAA") regulations.

17. The Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.

18. When Project facilities are located parallel to and within one hundred (100) feet of any existing natural gas or hazardous pipeline, the Applicant shall:

a. Ensure grounding and cathodic protection studies are performed to show that the Project's location parallel to and within one hundred (100) feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. The Applicant shall take appropriate steps to ensure

that any material adverse impacts are mitigated. The Applicant shall provide to Staff of the Commission, and file with Docket Control, a copy of the studies performed and additional mitigation, if any, that was implemented as part of its annual compliance certification letter; and

b. Ensure that studies are performed simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within one hundred (100) feet of the existing natural gas or hazardous liquid pipeline. The studies should either: (i) show that such simulated outage does not result in customer outages; or (ii) include operating plans to minimize any resulting customer outages. The Applicant shall provide a copy of the study results to Staff of the Commission and file them with Docket Control as part of the Applicant's annual compliance certification letter.

19. The designation of the corridor in this Certificate, as shown in **Exhibit A**, does not authorize a ROW greater than 300 feet wide for the transmission line, nor does it grant the Applicant exclusive rights within the corridor outside of the final designated transmission ROW. The maximum height of the structures shall not exceed 199 feet.

20. The Applicant shall submit a compliance certification letter annually, identifying progress made with respect to each condition contained in this Certificate, including which conditions have been met. The letter shall be submitted to Commission's Docket Control commencing on December 1, 2026. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter, along with the corresponding documentation, shall be submitted to the Arizona Attorney General's Office. With respect to the Project, the requirement for the compliance letter shall expire on the date the Project is placed into operation. Notification of such filing with Docket Control shall be made to Navajo County, City of Holbrook,

ASLD, ADOT, all parties to this Docket, and all parties who made a limited appearance in this Docket.

21. The Applicant shall provide a copy of this Certificate to Navajo County, City of Holbrook, ADOT, and ASLD.

22. Any transfer or assignment of this Certificate shall require the assignee or successor to assume, in writing, all responsibilities of the Applicant listed in this Certificate and its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of the Arizona Administrative Code.

23. In the event the Applicant, its assignee, or successor, seeks to modify the Certificate's terms at the Commission, it shall provide copies of such request to Navajo County, City of Holbrook, ASLD, ADOT, all parties to this Docket, and all parties who made a limited appearance in this Docket.

24. The Certificate Conditions shall be binding on Applicant, its successors, assignee(s) and transferees, and any affiliates, agents, or lessees of the Applicant who have a contractual relationship with the Applicant concerning the construction, operation, maintenance, or reclamation of the Project. The Applicant shall provide in any agreement(s) or lease(s) pertaining to the Project that the contracting parties and/or lessee(s) shall be responsible for compliance with the Conditions set forth herein, and the Applicant's responsibilities with respect to compliance with such Conditions shall not cease or be abated by reason of the fact that the Applicant is not in control of or responsible for operation and maintenance of the Project facilities.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Certificate incorporates the following Findings of Fact and Conclusions of Law:

1. The Project aids the State and the Southwest Region of the United States in meeting the need for an adequate, economical, and reliable supply of electric power.

2. When constructed in compliance with the conditions imposed in this

Certificate, the Project aids the State, preserving a safe and reliable electric transmission system.

3. During the course of the hearing, the Committee considered evidence on the environmental compatibility of the Project as required by A.RS. § 40-360 *et seq*.

4. The Project and the conditions placed on the Project in this Certificate effectively minimize the impact of the Project on the environment and ecology of the State.

5. The conditions placed on the Project in this Certificate resolve matters concerning balancing the need for the Project with its impact on the environment and ecology of the State arising during the course of the proceedings and, as such, serve as findings and conclusions on such matters.

6. The Project is in the public interest because the Project's contribution to meeting the need for an adequate, economical, and reliable supply of electric power outweighs the minimized impact of the Project on the environment and ecology of the State.

7. The Project substations are not jurisdictional because the definition of a "transmission line" under A.R.S. § 40-360(10) only includes "new switchyards to be used therewith," not substations.

DATED this 18th day of December, 2024.

THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING
COMMITTEE

By:_____
Adam Stafford, Chairman

CERTIFICATE OF MAILING

ORIGINAL of the foregoing was e-filed this 18th day of December, 2024 with:

Utilities Division – Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

COPY of the foregoing e-mailed this 18th day of December, 2024:

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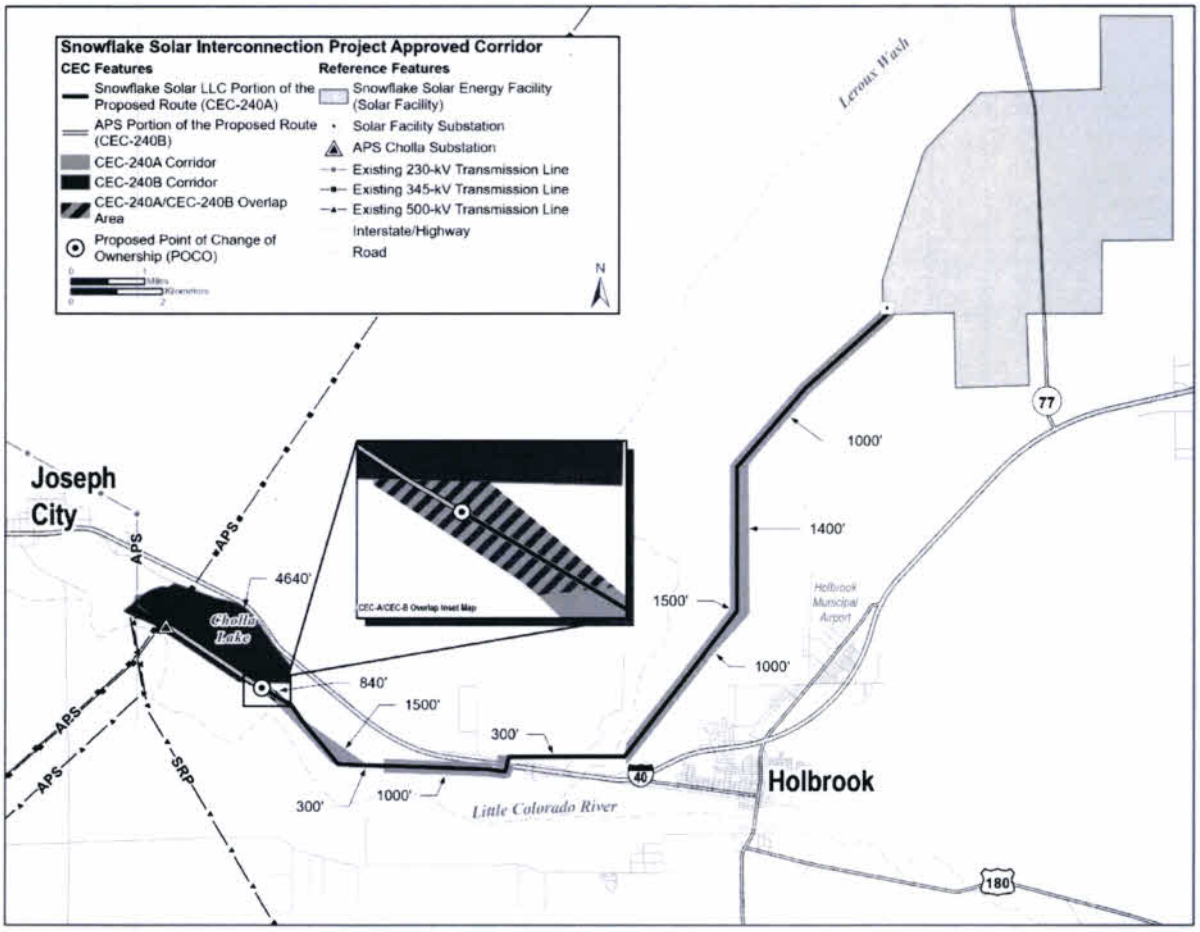
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By/s/ T. Brewer

Exhibit A

EXHIBIT A



Decision No. 79718