

11 January 2021

To: Cochise County Board of Supervisors: Chairman Ann English, Vice-Chairman Peggy Judd, and Supervisor Tom Crosby

Regarding: 1) Cochise County Community Development Dockets SUA-20-15 (Clenera Solar North) and SUA-20-16 (Clenera Solar South) and 2) Arizona Corporation Commission (ACC) Docket RU-00000A-18-0284

In the democratic election held in November 2018, a majority of Arizonans voted against Proposition 127, a mandate that, if passed, would have replaced the current plan for increasing renewable energy requirements from 15% by 2025 to a percentage increasing annually from 12 percent in 2020 to 50 percent in 2030.

As of September 2020, Sulphur Springs Valley has already reached the 15% requirement.

Arizonans defeated Prop 127: **68.6 % NO** to 31.4 % YES.

In **Cochise County**, voters overwhelmingly defeated Prop 127: **78.94 % NO** to 21.06 % YES.

The Prop 127 majority vote in Arizona was not along party lines. In Pima County, where Democrats outnumber Republican voters, the vote was 62.07 % NO to 37.93 % YES. Even so, Tucson Electric Power (TEP), according to its web site, has been transitioning to a “cleaner, greener grid.” TEP describes its Clean Energy Plan as “a dramatic expansion of wind and solar power resources, supported by efficient natural gas fired generators and energy storage systems,” to include retirement of TEP’s remaining coal-fired power plants over the next 12 years. TEP plans to provide more than 70 percent of its power from wind and solar by 2035...” TEP will purchase the power generated by the Babacomari Solar farms.

As a result of Applicant’s request for permits for Clenera Solar North and South, I learned in September 2020 that the Arizona Corporation Commission (ACC) began the process of working with stakeholders, including the solar industry, in August of 2018 to develop 100 % clean energy standards—just before the November 2018 election—that culminated in a 4-1 vote in November 2020 to move forward with publication of a Notice of Proposed Rulemaking that would require Electric Utilities to comply with a **100 percent reduction in its carbon emissions** by 01 January 2050. In addition, each Electric Utility is required to achieve an average of 1.3 percent annual energy efficiency savings starting in 2021 and a 5 percent energy storage capacity requirement.

I called into the “Special Open Meeting” on 24 September 2020 to voice my opposition to the ACC on the grounds that Arizonans defeated Prop 127. Chairman Burns was

indifferent to and dismissive of my objection and told me that the ACC was seeking comments to the amendments.

Commissioner Kennedy lauded the 4-1 vote by stating in a news release, “the Arizona Corporation Commission held a historic vote to reduce 100% carbon emissions from regulated utilities by 2050, with critical interim targets of 50% by 2032 and 75% by 2040.”

According to “Exhibit A, Article 27. Energy Rules (see Decision 77829), ‘Carbon Emissions’ means carbon emissions resulting from the combustion of fossil fuels, such as coal, petroleum, natural gas, oil, shale, and bitumen, in a Generating Unit, expressed in metric tons.”

Renewable energy resources listed under section R14-2-2703 (page 54) in “Exhibit A, Article 27” include “Solar Energy Resources,” such as solar photovoltaic farms, like the Babacomari Solar North and South farms, and “solar thermal electric devices,” such as the solar thermal electric power plant Ivanpah in the Mojave Desert in California. Also included in this list are “Biogas Electric Generator” and “Biopower Electric Generator.”

Republican Commissioner Justin Olson issued the sole dissenting opinion (see Decision #77829 under ACC Docket RU-00000A-18-0284). In part, Commissioner Olson stated, “As the Commission considered proposed changes to its renewable energy rules at the November 13 Open Meeting, I once again brought forward my amendment that would have prohibited these rules from overburdening ratepayers. I was disappointed that the Commission once again rejected my attempts to protect ratepayers. This sent a clear signal that the Commission intends for compliance with the proposed mandates to drive up costs for ratepayers.” He further stated, “Moreover, by imposing these mandates, the Commission has ignored the will of the people. The voters spoke loudly and clearly just two years ago regarding similar mandates when they rejected Proposition 127 with more than twice as many no votes than yes votes.”

The ACC will hear oral comments regarding “Article 27. Energy Rules” on 19 and 20 January 2021 and is allowing written comments by 22 January 2021. (See Decision #77829, page 6).

The ACC, comprised of elected officials, is imposing their will on all Arizonans, and specifically Cochise County residents, instead of representing the majority of Arizonans who defeated Prop 127.

I earnestly and respectfully request the Cochise County Board of Supervisors uphold the majority vote of 78.94% of Cochise County residents who, with their fellow Arizonans, defeated Prop 127, as follows:

- 1) Deny SUA-20-15 (Clenera Solar North) and SUA-20-16 (Clenera Solar South).
- 2) Oppose the ACC’s “Article 27. Energy Rules.”

In addition, I earnestly and respectfully request of the Cochise County Board of Supervisors the following:

- 1) Please assess the burdens and impact of "Article 27. Energy Rules" on Sulphur Springs Valley Electric Co-Op (SSVEC). Please shield SSVEC from the burdens and impact.
- 2) Please assess the burdens and impact of "Article 27. Energy Rules" on Cochise County residents. Please shield Cochise County residents from the burdens and impact.
- 3) Please protect Cochise County wildlife and wildlife habitat; migratory birds, including the thousands of Sandhill Cranes, that winter at Willcox Playa, Whitewater Draw, and Crane lake; our local birds, including Cooper's Hawk and owls; and bats by closing Cochise County to wind farms that kill birds, bats, and insects in flight; to solar photovoltaic farms, like Babacomari Solar North and South, that could possibly kill/injure birds due to "lake effect," and to solar thermal electric power plants, like Ivanpah, that cause birds to catch fire when they fly into the concentrated sunlight generated by mirrors. After their feathers catch fire, they are referred to as "streamers" because of the smoke that trails from their bodies as they plummet to earth. Because the sun and wind are weak, dilute/diffuse sources of energy, a vast amount of land is required for solar and wind farms, resulting in the destruction of wildlife and wildlife habitat.
- 4) Please fight on behalf of all Cochise County residents in this matter, so "that government of the people, by the people, for the people shall not perish from the earth."

Thank you sincerely for your time and consideration.

Maureen G. McBride
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