

**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE CORONA WIND )  
COMPANIES' JOINT APPLICATION FOR THE )  
LOCATION OF THE CORONA WIND PROJECTS )  
AND THE CORONA GEN-TIE SYSTEM IN )  
LINCOLN, TORRANCE AND GUADALUPE )  
COUNTIES PURSUANT TO THE PUBLIC UTILITY )  
ACT, NMSA 1978, §62-9-3 )  
)  
ANCHO WIND LLC, COWBOY MESA LLC, DURAN )  
MESA LLC, RED CLOUD WIND LLC, TECOLOTE )  
WIND LLC, VIENTO LOCO LLC, )  
)  
)  
JOINT APPLICANTS. )**

Case No. 18-00065-UT

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**JOINT APPLICATION  
FOR  
LOCATION SITE APPROVAL  
OF  
THE CORONA WIND PROJECTS, THE CORONA GEN-TIE SYSTEM  
AND  
REQUEST FOR RIGHT OF WAY DETERMINATION**

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THE CORONA WIND PROJECTS, THE CORONA GEN-TIE SYSTEM  
AND REQUEST FOR RIGHT OF WAY DETERMINATION**

Ancho Wind LLC, Cowboy Mesa LLC, Duran Mesa LLC, Red Cloud Wind LLC, Tecolote Wind LLC, and Viento Loco LLC, (collectively, the “Corona Wind Companies” or the “Joint Applicants”) respectfully submit this joint application and supporting testimony and exhibits to the New Mexico Public Regulation Commission (the “Commission”) for approval, to locate up to 2,200 megawatts (“MW”) of wind generation of the Joint Applicants’ wind energy facilities (collectively, the “Corona Wind Projects”) in Lincoln, Torrance and Guadalupe Counties in New Mexico. The Joint Applicants also request approval, to the extent required by law, of the right to construct a 345-kilovolt (“kV”) transmission system and associated transmission facilities, including a 180-foot right-of-way (“ROW”), located within a 1-mile-wide corridor (collectively, “Corona Gen-Tie System” or “Gen-Tie System”) pursuant to NMSA 1978, §§62-9-3, 62-9-3.2, and Commission Rule 17.9.592 NMAC (collectively, “Joint Application”).

**I. BACKGROUND.**

**A. THE JOINT APPLICANTS.**

1. The Corona Wind Companies are limited liability companies, organized under the laws of the State of Delaware and are indirectly held subsidiaries of Pattern Energy Group 2 LP (together with Pattern Energy Group LP, "Pattern Development"). Pattern Development has developed and constructed other wind projects of significant size and scope in Imperial County, California; Shasta County, California; Benton County, Indiana; White Pine County, Nevada; Carson County, Texas; Comanche County, Texas; Kennedy County, Texas; and Curry County, New Mexico. Pattern Development has also developed and constructed additional wind projects in Puerto Rico, Chile, and Canada.

2. Pattern Development is affiliated with Pattern Energy Group Inc. ("PEGI") (collectively, "Pattern Group"). PEGI currently owns and operates over 5,000 MW of wind energy spread out across 18 wind projects. The Pattern Group has offices in San Francisco, California; San Diego, California; Houston, Texas; Toronto, Canada; Mexico City, Mexico; Santiago, Chile; and Tokyo, Japan.

3. The Corona Wind Companies and the Pattern Group entities are not public utilities under New Mexico law, NMSA 1978, §62-3-3(G), and none are regulated by the Commission.

**B. THE CORONA WIND PROJECTS.**

4. The Corona Wind Projects will consist of up to 2,200 MW of wind power facilities and will be located within approximately 300,000 acres of private and state land within Lincoln, Tarrant, and Guadalupe Counties in New Mexico ("Corona Wind Project Area"). A map and legal description of the Corona Wind Project Area are included in the Direct Testimony of Adam Cernea Clark.

5. To produce the desired energy, it is anticipated that there will be up to 950 wind turbines with a nameplate capacity ranging from 2.3 MW to 3.0 MW. Each of the turbines will be connected by 34.5-kV collection lines to new substations (“Generation Project Substations”) to be located within each project area. The collection lines will be buried underground unless local conditions make burial impracticable. A final determination of the number of turbines to be used and the siting of the turbines, collection lines and Generation Project Substations will be made over time, and such information will be made available to the Commission. For a preliminary layout of the Corona Wind Projects please refer to the Direct Testimony of Crystal Coffman.

**C. THE CORONA GEN-TIE SYSTEM.**

6. The Corona Gen-Tie System, which will be located within the Corona Wind Project Area, consists of an approximately 80-mile 345-kV transmission system and associated transmission facilities, including a 180-foot ROW located within a 1-mile-wide corridor. The transmission facilities included in the Corona Gen-Tie System are more specifically described in the Direct Testimony of Derek Price. Please also refer to the Direct Testimony of Adam Cernea Clark for a map of the proposed Corona Gen-Tie System.

7. The Joint Applicants intend that the Corona Gen-Tie System will connect the Corona Wind Projects to one of SunZia Transmission LLC’s two 500-kV alternative current transmission lines (“SunZia Project”). The first phase of the SunZia Project will be utilized by the Corona Wind Projects. The Direct Testimony of Stan Gray further discusses the interconnection schemes.

8. The Corona Gen-Tie System requires a ROW width of approximately 180-feet across mostly private and some state land. The Corona Wind Companies have obtained, or will obtain, agreements with the underlying landowners and the State of New Mexico prior to

commencement of construction. Please see the Direct Testimony of Adam Cernea Clark for more information regarding the land under lease options or negotiation. The Joint Applicants are requesting a ROW width determination pursuant to NMSA 1978, §62-9-3.2 to the extent such approval may be required by law.

## **II. LOCATION CONTROL REQUIREMENTS AND RIGHT-OF-WAY.**

### **A. LOCATION STATUTORY REQUIREMENTS, NMSA 1978, §62-9-3.**

9. The purpose of NMSA 1978, §62-9-3 (“Siting Statute”), is to provide for the supervision and control by the Commission of the location within this state of new plants, facilities and transmission lines for the generation and transmission of electricity for sale to the public. NMSA 1978, §62-9-3(A).

10. The Siting Statute further provides that no application shall be approved pursuant to this section if such application violates an existing state, county or municipal land use statute or administrative regulation unless the Commission finds that the regulation is unreasonably restrictive, and compliance is not in the interest of the public convenience and necessity. NMSA 1978, §62-9-3(G). The Joint Applicants have determined that applicable state, county, and municipal land use statutes and administrative regulations are not violated and will allow for the installation of the Corona Wind Projects and the Corona Gen-Tie System.

11. Under the Siting Statute, the Commission may approve an application without a formal hearing if no protests are filed within sixty (60) days of the date the notice is given. NMSA 1978, §62-9-3(K). An application is deemed to be approved if the Commission fails to issue an order within six (6) months after filing. NMSA 1978, §62-9-3(L).

12. The Corona Companies respectfully request the Commission proceed to an expedited decision without a hearing if no valid protests are filed within sixty (60) days of the date

of publication notice. A proposed form of notice is attached as Exhibit 1 to this Joint Application and incorporated herein.

#### **1. GENERATION PLANT.**

13. The Siting Statute provides the Commission with specific and limited jurisdiction over the siting of power plants within the State of New Mexico with a “capacity of three hundred thousand kilowatts [300 MW] or more for the generation of electricity for the sale to the public within or without [the state of New Mexico.]” NMSA 1978, §62-9-3(B).

14. The Commission is required to approve an application for the location of the generating plant unless it finds that the operations of the facilities for which approval is sought will not comply with all applicable existing air and water pollution control standards and regulations. NMSA 1978, §62-9-3(E). However, the Commission is precluded by the Siting Statute from requiring “compliance with performance standards other than those established by the agency of this state having jurisdiction over a particular pollution source.” *Id.* The New Mexico agency that has jurisdiction over air and water pollution is the New Mexico Environment Department (“NMED”).

15. The Joint Applicants have evaluated the air and water pollution control standards in connection with the proposed Corona Wind Projects and have determined that the Corona Wind Projects will comply with these standards. For more detailed information please refer to the Direct Testimony of Adam Cernea Clark, the Direct Testimony of Christopher Knopp, and the environmental report performed by Burns & McDonnell Engineering Company Inc., regarding the Corona Wind Projects and the Corona Gen-Tie System which is an exhibit to the Direct Testimony of Christopher Knopp (“Corona Environmental Report”).

## 2. TRANSMISSION LINES.

16. The Siting Statute also gives the Commission jurisdiction over “transmission lines in connection with ... a [generating] plant, on a location within [New Mexico] ...” NMSA 1978, §62-9-3(B). For purposes of this statute, transmission line “means any electric transmission line and associated facilities designed for or capable of operations at a nominal voltage of two hundred thirty kilovolts or more....” *Id.*

17. The Commission is required to approve an application for the location of transmission lines unless it finds the location will unduly impair important environmental values. NMSA 1978, §62-9-3(F). Past Commission decisions have held that environmental values will not be unduly impaired if the requirements under Commission Rule 17.9.592.10 NMAC are met. *In the Matter of Sw. Pub. Serv. Company's Application Requesting: (1) Issuance of A Certificate of Pub. Convenience & Necessity Authorizing Constr. & Operation of A 345-Kv Transmission Line & Associated Facilities in Eddy & Lea Cty., New Mexico; (2) Approval of the Location of the 345-Kv Transmission Line; (3) Determination of Right of Way Width; & (4) Authorization to Accrue an Allowance for Funds Used During Constr. for the Transmission Line & Associated Facilities Sw. Pub. Serv. Company*, Case No. 16-00126-UT, 2016 WL 6678978, at 6 (Nov. 9, 2016); *In the Matter of Sw. Pub. Serv. Co.'s Application for: (1) Issuance of A Certificate of Pub. Convenience & Necessity Authorizing Constr. & Operation of Two 230 Kv Transmission Lines & Associated Substation Facilities in Curry & Roosevelt Cty., New Mexico; (2) Approval of the Location of the 230 Kv Transmission Lines & Associated Facilities; & (3) Authorizing Accrual of an Allowance for Funds Used During Constr. For the Transmission and Associated Facilities Sw. Pub. Serv. Co.'s Applicant*, Case No. 12-00027-UT, 2012 WL 10937016, at 1 (June 20, 2012). See Section II(C) for more details on Commission Rule 17.9.592.10 NMAC.

18. The Commission also has the discretion to consider certain additional factors under NMSA 1978, §62-9-3(M) to determine if a proposed transmission line unduly impairs important environmental values. These additional factors are:

- (1) existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed location;
- (2) fish, wildlife, and plant life;
- (3) noise emission levels and interference with communication signals;
- (4) the proposed availability of the location to the public for recreational purposes, consistent with safety considerations and regulations;
- (5) existing scenic areas, historic, cultural or religious sites and structures or archaeological sites at or in the vicinity of the proposed location; and,
- (6) additional factors that require consideration under applicable federal and state laws pertaining to the location.

19. The Joint Applicants have evaluated these factors in connection with the proposed Corona Gen-Tie System and have determined that the statutory and regulatory requirements for siting a transmission line or associated facilities are or will be satisfied. Analysis and conclusions of the studies performed are discussed in detail in the Direct Testimony of Christopher Knopp and in the Corona Environmental Report.

**B. ROW WIDTH STATUTORY REQUIREMENTS, NMSA 1978, §62-9-3.2.**

20. NMSA 1978, §62-9-3.2 (“ROW Statute”) provides that “unless otherwise agreed to by the parties, no person shall begin the construction of any transmission line requiring a width for right of way of greater than one hundred feet without first obtaining from the commission a



determination of the necessary right-of-way width to construct and maintain the transmission line.” NMSA 1978, §62-9-3.2(A).

21. Under the ROW Statute, “the applicant shall cause notice of the time and place of hearing on the application for the [ROW] determination to any owner of property proposed to be taken.” NMSA 1978, §62-9-3.2(D). Notice shall be given by first class mail at least twenty (20) days before the time set for hearing, and the applicant shall file proof of notice on or before the hearing. *Id.*

22. The statute further provides the Commission shall act upon the application, after public hearing, within six (6) months of the date the application was filed, and failure to do so is deemed to be approval of the application. NMSA 1978, §§62-9-3.2(E) and (F).

### **C. REGULATORY REQUIREMENTS, COMMISSION RULE 17.9.592 NMAC.**

23. The Commission’s Location of Large Capacity Plants and Transmission Lines Rule 17.9.592 NMAC (“Location Rule”) states the requirements for an application for location approval of a large capacity generation plant and a transmission line, pursuant to the Siting Statute, NMSA 1978, §62-9-3. The Joint Application, including the supporting testimonies and exhibits, provide all the required information for Commission review.

#### **1. GENERATION PLANT.**

24. Location Rule 17.9.592.9 NMAC for generating facilities (“Generation Location Rule”) lists the requirements for a generating plant for or capable of operation at a capacity of 300 MW or greater:

A. a description of the large capacity plant, including, but not limited to:

- (1) a legal description of the property upon which the large capacity plant will be located;

- (2) the size of the large capacity plant;
  - (3) fuel specifications including, but not limited to, the type of fuel to be used; and,
  - (4) a map showing the location of the large capacity plant;
- B. identification of all applicable land use statutes and administrative regulations and proof of compliance or a statement of noncompliance with each;
  - C. identification of all applicable air and water pollution control standards and regulations and proof of compliance or a statement of noncompliance with each;
  - D. all written air and water quality authorizations necessary to begin construction of the large capacity plant;
  - E. all written air and water quality authorizations necessary to begin operation of the large capacity plant; if any such authorization cannot be obtained until after construction of the large capacity plant, proof of application for such authorization;
  - F. the expected date that the large capacity plant will be online;
  - G. proof that the application has been served on all local authorities in each county and township where the large capacity plant will be located, the New Mexico attorney general, the New Mexico environment department, and the New Mexico state engineer;
  - H. any other information, including photographs, which the applicant wishes to submit in support of the application

## 2. TRANSMISSION LINES.

25. Under Commission Rule 17.9.592.10 NMAC for transmission lines (“Transmission Location Rule”), an applicant must file an application supported by written testimony and exhibits that contain the following information for transmission lines for which location approval is required:

- A. a description of the transmission line including, but not limited to:
  - (1) the location of the transmission line;
  - (2) identification of the ownership of the land (such as private, bureau of land management, U.S. forest service, state trust, etc.) the transmission line will cross and the number of feet the transmission line will cross over each owner’s land;
  - (3) the total length of each transmission line in feet;
  - (4) a description of interconnection facilities;
  - (5) a map showing the location of the transmission line; and
  - (6) a schematic diagram showing the transmission line and the interconnection of the transmission line to the transmission grid;
- B. identification of all applicable land use statutes and administrative regulations and proof of compliance or statement of noncompliance with each;
- C. if required under NEPA, an environmental assessment prepared in connection with the transmission line;
- D. if required under NEPA, an environmental impact statement and record of decision or a finding of no significant impact, prepared in connection with the transmission line;

- E. if preparation of a federal environmental assessment or environmental impact statement is not required under NEPA in connection with the transmission line, then a report, comparable to an environmental impact statement, in the format prescribed in 40 C.F.R. Section 1502.10;
- F. all written federal, state, and local environmental authorizations necessary to begin construction of the transmission line;
- G. all written federal, state, and local environmental authorizations necessary to begin operation of the transmission line; if any such authorization cannot be obtained until after construction of the transmission line, proof of application for such authorization;
- H. testimony demonstrating that the transmission line will not unduly impair important environmental values; important environmental values include, but are not limited to, preservation of air and water quality, land uses, soils, flora and fauna, and water, mineral, socioeconomic, cultural, historic, religious, visual, geologic and geographic resources;
- I. the expected date that the transmission line will be online;
- J. proof that the application has been served on all local authorities in each county and township where the transmission line will be located, the New Mexico attorney general, the New Mexico environment department, and the New Mexico state engineer;
- K. any other information, including photographs, which the applicant wishes to submit in support of the application.

**III. ALL THE REQUIREMENTS FOR THE REQUESTED APPROVAL ARE SATISFIED.**

26. The Corona Wind Projects and the Corona Gen-Tie System will satisfy all the requirements of NMSA 1978, §62-9-3 and Commission Rule 17.9.592 NMAC for location approval of a large capacity electric generating plant and a transmission line because: (1) the Corona Wind Companies will cause the Corona Wind Projects and the Corona Gen-Tie System to comply with all applicable environmental requirements under the Siting Statute and Location Rule; (2) existing state, county, and municipal land use statutory and administrative regulations allow for the installation of the Corona Wind Projects and the Corona Gen-Tie System; and (3) the approximately 180-foot ROW width is necessary for the Corona Gen-Tie System to connect the Corona Wind Projects to the SunZia Project.

**A. THE JOINT APPLICANTS WILL REQUIRE THE CORONA WIND PROJECTS AND THE CORONA GEN-TIE SYSTEM TO COMPLY WITH ALL ENVIRONMENTAL REQUIREMENTS.**

**1. THE CORONA WIND PROJECTS.**

27. As renewable energy generation facilities, the Corona Wind Projects will result in environmental benefits and will not negatively impact air or water quality during the operating life of the generating facilities. The Corona Wind Projects will produce zero-emission electricity using state-of-the-art wind turbine technology and may even displace electricity generated from non-renewable sources causing a reduction in greenhouse gas emission and regulated air pollutants. The Corona Wind Projects will also have a *de minimis* effect on water quality during the construction of the projects and will conserve water that would otherwise be used in cooling thermal power plants during the operation of the projects.

28. Pursuant to NMSA 1978, §62-9-3, the Corona Wind Companies will cause the Corona Wind Projects to comply with all applicable (1) water pollution control standards and

regulations of the NMED; and (2) air pollution control standards and regulations of the NMED. The Direct Testimony of Adam Cernea Clark and the Direct Testimony of Christopher Knopp explain the applicable requirements and summarize how the Corona Wind Projects intend to comply with these standards.

29. The types of construction activity permits needed to construct the Corona Wind Projects are typically applied for and issued shortly before the start of construction and are anticipated to consist of air quality permits from NMED for concrete batch plants and mobile rock crushing. No other air or water pollution permits are required from NMED.

30. All air and water quality permits associated with environmental impacts due to construction activities will be acquired by the balance of plant ("BOP") contractor from the NMED prior to the initiation of construction of such project. Issuance of these permits by NMED and compliance with their terms by the Corona Wind Companies will satisfy applicable state water and air pollution control standards and regulations.

**(1) WATER POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE NMED.**

31. The Corona Wind Companies will not need any water quality permits from NMED to comply with all water quality performance standards and regulations of NMED. However, they will obtain a National Pollution Discharge Elimination System ("NPDES") permit from the United States Environmental Protection Agency ("EPA").

32. The purpose of the New Mexico Water Quality Control Act ("New Mexico Water Act") is to prevent the impairment of New Mexico's groundwater quality. NMSA 1978, §§74-6-1 *et seq.* Because turbines do not require water to produce electricity, the Corona Wind Projects will not impair groundwater quality. Also, the Corona Wind Companies do not propose a new diversion of surface water or groundwater resources at the site. Nor do the Corona Wind

Companies intend to transfer any surface or ground water rights for project use. Since the Corona Wind Companies do not intend to adversely affect surface or groundwater at the site, they will not require a permit under the New Mexico Water Act.

33. The Corona Wind Companies will acquire the NPDES permit from the EPA under the Federal Water Pollution Control Act Amendments of 1972, as amended, more commonly referred to as the “Clean Water Act”. 33 U.S.C. §1342. This permit will ensure that storm water discharge from construction activities that disturb one or more acres are managed through best management practices. However, the Corona Wind Projects are also expected to qualify for a storm water Construction General Permit (“CGP”).

34. The Corona Wind Companies will obtain coverage under a NPDES CGP from the EPA pursuant to 33 U.S.C. §1342. This construction phase permit requires the management of storm water discharge from the site during construction, including implementation of standard erosion control measures and best management practices. Further, project facilities will be sited to avoid and/or minimize fill in Waters of the U.S. so that any fill, if necessary, would be within the thresholds allowed under the 2017 Nationwide Permit Program under Section 404 of the Clean Water Act administered by the U.S. Army Corps of Engineers. 33 U.S.C. §1344. The Corona Wind Projects’ facilities will be sited to avoid placement in the floodplain.

**(2) AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE NMED.**

35. With respect to applicable air pollution standards, construction activities will be required to comply with General Construction Permits (“GCP”). The Corona Wind Companies will require air quality general construction permitting from NMED to comply with all air quality performance standards and regulations of NMED.

36. The New Mexico Air Quality Control Act applies to the Corona Wind Projects. NMSA 1978, §§74-2-1 *et seq.* The Corona Wind Companies will require the BOP to obtain a general construction permit before the start of construction, for concrete batch plants and a general construction permit for aggregate facilities (permits GCP-5 and GCP-2, respectively) from the Air Quality Bureau of NMED. The Joint Applicants will provide copies of these permits to the Commission upon request before construction activities associated with these permits begins.

37. The application for the general construction permit will demonstrate that the construction of the Corona Wind Projects complies with applicable air pollution control standards and regulations. Once the Corona Wind Projects are in operation, there will be no adverse impact to air quality. Instead, the Corona Wind Projects will benefit the air quality by displacing sources of electricity in the Southwest which adversely impact air quality.

### **(3) THE GENERATION LOCATION RULE.**

38. The Joint Application and supporting testimony and exhibits provide the information required by the Generation Location Rule and the necessary information needed for the Commission's evaluation of this Joint Application to construct the Corona Wind Projects.

39. The Joint Applicants will require the Corona Wind Projects to comply with local land use statutes and administrative regulations.

40. The Corona Wind Companies will obtain New Mexico State Land Office ("SLO") approval for use of any state trust land, in compliance with Commission Rule 17.9.592.9(B) NMAC.

41. The necessary authorizations to begin construction and operation of the wind facilities are typically obtained immediately prior to start of construction and will be obtained prior to construction.



42. The Corona Wind Companies intend to put the wind facilities into operation by the end of 2020.

43. The Joint Application and supporting testimony and exhibits have been served on all local authorities in Lincoln, Torrance and Guadalupe Counties in New Mexico, the New Mexico attorney general, the New Mexico environment department, and the New Mexico state engineer. A copy of the Joint Application and testimony is available at the public library in the Town of Carrizozo, New Mexico, which is the county seat of Lincoln County; in Estancia, New Mexico which is the county seat of Torrance County; and in Santa Rosa, New Mexico which is the county seat of Guadalupe County. This Joint Application and supporting testimony and exhibits are also available on the Joint Applicants' website, <http://www.coronawindprojects.com>, all in compliance with Commission Rule 17.9.592.9(G) NMAC, and Commission Rule 17.9.592.13 NMAC.

## **2. THE CORONA GEN-TIE SYSTEM.**

### **(1) NO UNDUE IMPAIRMENT TO IMPORTANT ENVIRONMENTAL VALUES UNDER THE SITING STATUTE.**

44. The location of the Corona Gen-Tie System will not unduly impair any important environmental values. A more detailed discussion of environmental aspects of the Corona Gen-Tie System is provided in the Direct Testimony of Adam Cernea Clark, the Direct Testimony of Christopher Knopp and the Corona Environmental Report.

45. The proposed Corona Gen-Tie System will comport with existing plans of the state and local government. NMSA 1978, §62-9-3(M)(1). The Corona Gen-Tie System is being constructed in connection with the Corona Wind Projects in Lincoln, Torrance and Guadalupe Counties in the State of New Mexico. This is consistent with the 2015 "New Mexico Energy

Policy & Implementation Plan” published by the Office of the Governor of the State of New Mexico.

46. The proposed Corona Gen-Tie System will also comport with and enhance existing land uses (farming and ranching) near and adjacent to the site and the line will have limited impacts on natural resources. NMSA 1978, §62-9-3(M)(2). This conclusion is supported by extensive studies and fieldwork of the Corona Wind Projects and surrounding area and the area surrounding and inclusive of the Corona Gen-Tie System. These impacts are limited to impacts on the lesser prairie chicken, which is not protected as a threatened or endangered species under the New Mexico Wildlife Conservation Act, MNSA 1978, §§17-2-37 *et seq.*, or under the Endangered Species Act, 7 U.S.C. §§1531 *et seq.*

47. The Corona Gen-Tie System will not produce significant noise emission levels or interfere with communication signals. NMSA 1978, §62-9-3(M)(3). A more detailed discussion is provided in the Direct Testimony of Christopher Knopp.

48. The Corona Gen-Tie System is mostly located on private land which is not open to the public. The Corona Gen-Tie System will not impact public access to the small portion of the line passing through state trust land. NMSA 1978, §62-9-3(M)(4). A more detailed discussion is provided in the Direct Testimony of Christopher Knopp.

49. The Corona Wind Companies have conducted extensive, voluntary cultural and archaeological studies and determined the Corona Gen-Tie System will not unduly impair “existing scenic areas, historic, cultural or religious sites and structures or archaeological sites at or in the vicinity of the proposed location” of the Corona Gen-Tie System. NMSA 1978, §62-9-3(M)(5). A more detailed discussion is provided in the prepared Direct Testimony of Christopher Knopp and the Corona Environmental Report.

**(2) THE TRANSMISSION LOCATION RULE.**

50. The Joint Application, including supporting testimony and exhibits, provides the information required by the Transmission Location Rule and the necessary information needed for the Commission's evaluation of this Joint Application.

51. The Corona Wind Companies will cause the Corona Gen-Tie System to comply with local land use statutes and administrative regulations.

52. The Corona Wind Companies will obtain SLO approval for use of any state trust land, in compliance with Commission Rule 17.9.592.10(B) NMAC.

53. The necessary authorizations to begin construction and operation of the Corona Gen-Tie System are typically obtained and will be obtained by the Corona Wind Companies immediately prior to the start of construction.

54. The Corona Wind Companies intend to put the Corona Gen-Tie System into operation as early as the end of 2020 and the Corona Gen-Tie System will not unduly impair important environmental values in compliance with Commission Rule 17.9.592.10(I) and (H) NMAC. See the Direct Testimony of Christopher Knopp for further analysis and explanation on the environmental concerns.

55. The Joint Application and supporting materials have been served on all local authorities in Lincoln, Torrance and Guadalupe Counties in New Mexico, the New Mexico attorney general, the New Mexico environment department, and the New Mexico state engineer. A copy of the Joint Application and testimony is available at the public library in the Town of Carrizozo, New Mexico, which is the county seat of Lincoln County; in Estancia, New Mexico, which is the county seat of Torrance County; and in Santa Rosa, New Mexico, which is the county seat of Guadalupe County. This Joint Application and supporting testimony and exhibits are also

available on the Joint Applicants' website, <http://www.coronawindprojects.com>, all in compliance with Commission Rule 17.9.592.10(J) NMAC, and Commission Rule 17.9.592.13 NMAC.

**B. THE EXISTING STATE, COUNTY, AND MUNICIPAL LAND USE STATUTES AND ADMINISTRATIVE REGULATIONS ALLOW FOR THE INSTALLATION OF THE CORONA WIND PROJECTS AND GEN-TIE SYSTEM.**

56. The existing state, county, and municipal land use statutory and administrative regulations allow for the installation of the Corona Wind Projects and Gen-Tie System. These projects are also supported by local landowners, business leaders, and officials.

57. There are no zoning regulations in Guadalupe County. Lincoln County does have a wind energy ordinance, but this ordinance does not apply to transmission lines. Lastly, a Special Use District application will be obtained from Torrance County.

58. The great majority of the Corona Wind Projects and the Corona Gen-Tie System will be located on privately-owned land. The Corona Wind Companies have executed lease agreements for approximately 225,000 acres of private land in New Mexico and are in negotiations with several additional nearby landowners to enter into lease agreements for an additional approximately 40,000 acres of private land. As discussed in the Direct Testimony of Crystal Coffman, landowners, local businesses and political figures support the Corona Wind Projects and Gen-Tie System and its location approval.

59. The Corona Wind Companies will cause the Corona Wind Projects and the Corona Gen-Tie System to comply with the conditions for use of state trust lands. The Corona Wind Companies have submitted applications for lease agreements for approximately 21,000 acres of state trust lands. Additional applications for lease agreements of approximately 14,000 acres of state trust lands are likely to be submitted. State trust land use is further discussed in the Direct Testimony of Crystal Coffman.

**C. THE 180-FOOT ROW WIDTH IS NECESSARY FOR THE CORONA GEN-TIE SYSTEM AND THE JOINT APPLICATION PROVIDES THE INFORMATION REQUIRED BY THE ROW STATUTE.**

60. The 180-foot ROW width is necessary for the Corona Gen-Tie System to connect the Corona Wind Projects to the electric transmission grid in a safe and reliable manner. The 180-foot ROW width is necessary to provide sufficient space for variation in design while addressing electrical safety code requirements and construction and operation considerations according to prudent and standard industry practice. Please refer to the Direct Testimony of Derek Price for more details on the technical aspect of the Corona Gen-Tie System and the 180-foot ROW.

61. The Corona Gen-Tie System will be located primarily on private land for which the Corona Wind Companies have obtained or will obtain land rights. All underlying landowners will agree to the ROW and no land will be “taken” without prior landowner agreement. Accordingly, the Corona Wind Companies do not believe that Commission approval is needed under the ROW Statute in the situation as presented here and request such determination.

62. To the extent that the Commission finds the requested ROW width approval is necessary, the Corona Companies request such approval pursuant to NMSA 1978, §62-9-3.2.

**IV. THE CORONA WIND PROJECTS AND GEN-TIE SYSTEM HAVE THE SUPPORT OF LOCAL LANDOWNERS, COMMUNITIES, BUSINESSES, AND POLITICAL FIGURES.**

63. The Corona Wind Projects and the Corona Gen-Tie System have received letters of support from landowners, local community officials, and leading figures of the New Mexico business community. These letters of support are included as exhibits to the Direct Testimony of Crystal Coffman.

64. The Corona Wind Companies have also engaged in outreach to economic development organizations, potential construction partners, and vendors that may participate in

the construction of the Corona Wind Projects and Gen-Tie System. There is strong interest in the opportunity the Corona Wind Projects and Gen-Tie System afford.

**V. NOTICE AND PROCEDURAL MATTERS.**

65. Attached to this Joint Application is a proposed form of Notice of Application that the Corona Wind Companies propose, upon order of the Commission, to publish in a newspaper of general circulation in Lincoln, Torrance and Guadalupe Counties.

**VI. TESTIMONIES.**

66. In support of its Joint Application, the Corona Wind Companies accompany their Joint Application with the following testimonies:

| <b>Witness</b>    | <b>Subjects</b>   |
|-------------------|---|
| Crystal Coffman   | Project overview  |
| Ward Marshall     | Industry and market overview                                  |
| Adam Cernea Clark | Pattern's environmental values and regulatory compliance      |
| Christopher Knopp | Environmental, biological, cultural and archeological studies |
| Derek Price       | Technical design of the Gen-Tie System                        |
| John Tysseling    | Economic impacts  |
| Stanley Gray      | Technical description of interconnection schemes              |

**VII. CONCLUSION.**

34. The Corona Wind Companies have demonstrated that the Corona Wind Projects and the Gen-Tie System meet all applicable requirements of NMSA 1978, §§62-9-3, 62-9-3.2 and Commission Rule 17.9.592 NMAC. Specifically, (1) the location of the Corona Wind Projects and the Corona Gen-Tie System will comply with applicable statutes and environmental regulations under NMSA 1978, §62-9-3 and Commission Rule 17.9.592 NMAC; (2) the existing state, county, and municipal land use statutory and administrative regulations allow for the installation of the Corona Wind Projects and the Corona Gen-Tie System, NMSA 1978, §62-9-3(G); and, (3) the

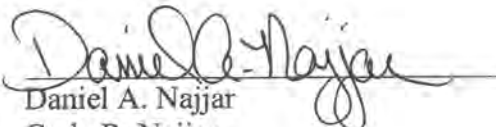
the Corona Gen-Tie System will comply with applicable statutes and environmental regulations under NMSA 1978, §62-9-3 and Commission Rule 17.9.592 NMAC; (2) the existing state, county, and municipal land use statutory and administrative regulations allow for the installation of the Corona Wind Projects and the Corona Gen-Tie System, NMSA 1978, §62-9-3(G); and, (3) the approximately 180-foot ROW width is necessary for the Corona Gen-Tie System to safely connect the Corona Wind Projects to the SunZia Project.

35. The Corona Wind Companies have complied with all the applicable requirements of NMSA 1978, §§62-9-3, 62-9-3.2 and Commission Rule 17.9.592 NMAC, and respectfully request the Commission issue a Final Order as expeditiously as possible approving the Corona Wind Companies' Joint Application for the location of the Corona Wind Projects and Gen-Tie System in Lincoln, Torrance and Guadalupe Counties and provide such other relief as the Commission deems necessary and appropriate.

WHEREFORE, for the foregoing reasons the Corona Wind Companies request that the Commission grant this Joint Application to the extent required by law and for such other relief as may be deemed necessary and appropriate.

Respectfully submitted,

VIRTUE & NAJJAR, P.C.

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**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE CORONA WIND )  
COMPANIES' JOINT APPLICATION FOR THE )  
LOCATION OF THE CORONA WIND PROJECTS )  
AND THE CORONA GEN-TIE SYSTEM IN )  
LINCOLN, TORRANCE AND GUADALUPE )  
COUNTIES PURSUANT TO THE PUBLIC UTILITY )  
ACT, NMSA 1978, §62-9-3 )  
)  
**ANCHO WIND LLC, COWBOY MESA LLC, DURAN )  
MESA LLC, RED CLOUD WIND LLC, TECOLOTE )  
WIND LLC, VIENTO LOCO LLC, )  
)  
)  
**JOINT APPLICANTS. )******

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Case No. 18-00065-UT

**JOINT APPLICATION**

**Exhibit-1**



**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE CORONA WIND )  
COMPANIES' JOINT APPLICATION FOR THE )  
LOCATION OF THE CORONA WIND PROJECTS )  
AND THE CORONA GEN-TIE SYSTEM IN )  
LINCOLN, TORRANCE AND GUADALUPE )  
COUNTIES PURSUANT TO THE PUBLIC UTILITY )  
ACT, NMSA 1978, §62-9-3 )  
)  
**ANCHO WIND LLC, COWBOY MESA LLC, DURAN )  
MESA LLC, RED CLOUD WIND LLC, TECOLOTE )  
WIND LLC, VIENTO LOCO LLC, )  
)  
)  
)  
**JOINT APPLICANTS. )******

Case No. 18- 00065-UT

**PROPOSED NOTICE**

**NOTICE** is hereby given by the New Mexico Public Regulation Commission ("Commission" or "NMPRC") of the following:

1. Pursuant to NMSA 1978, §§62-9-3, 62-9-3.2 and Commission Rule 17.9.592 NMAC, on March 27, 2018, Ancho Wind LLC, Cowboy Mesa LLC, Duran Mesa LLC, Red Cloud Wind LLC, Tecolote Wind LLC, and Viento Loco LLC., (collectively the "Corona Wind Companies" or the "Joint Applicants") filed a joint application and supporting direct testimony and exhibits ("Joint Application") with the New Mexico Public Regulation Commission (the "Commission") requesting the Commission enter a Final Order that grants location approval to locate up to 2,200 megawatts ("MW") of wind generation of the Joint Applicants' wind energy facilities (collectively the "Corona Wind Projects") in Lincoln, Torrance and Guadalupe Counties in New Mexico. The Joint Applicants also request approval, to the extent required by law, of the

right to construct a 345-kilovolt (“kV”) transmission system and associated transmission facilities, including a 180-foot right-of-way (“ROW”), located within a 1-mile-wide corridor (collectively “Corona Gen-Tie System” or “Gen-Tie System”) within the same three counties.

2. The Corona Wind Projects which will consist of up to 2,200 MW of wind power facilities located in Lincoln, Torrance and Guadalupe Counties in New Mexico will encompass approximately 300,000 acres of private and state land within the three counties (“Corona Wind Project Area”).

3. The Corona Gen Tie System will be located within the Corona Wind Project Area and will connect the electricity generated by the Corona Wind Projects to one of SunZia Transmission LLC’s two 500-kV transmission lines and related facilities located in Lincoln, Socorro, Sierra, Luna, Grant, Torrance, and Hidalgo Counties in New Mexico (“SunZia Project”).

4. The Corona Wind Projects and the Corona Gen Tie System will be owned by the Corona Wind Companies.

5. The Corona Wind Companies are also requesting a ROW width determination of 180-foot within a 1-mile-wide corridor pursuant to NMSA 1978, §62-9-3.2 to the extent such approval may be required by law. The Joint Applicants state that the 180-foot ROW width is necessary to provide sufficient space for variation in design while addressing electrical safety code requirements and construction and operation considerations for the Corona Gen Tie System to connect the Corona Wind Projects to the SunZia Project in a safe and reliable manner.

6. The Commission has assigned Case No. 18-\_\_\_\_\_-UT to this Joint Application, and all correspondence, pleadings, comments, and other communications shall refer to that case number.

7. The procedural schedule established in this case is as follows:
- A. The Corona Wind Companies shall, at their sole expense, publish notice in a newspaper of general circulation in Lincoln, Torrance and Guadalupe Counties on or before \_\_\_\_\_, 2018;
  - B. The Commission's Utility Division Staff ("Staff") shall file a response to the Joint Application by advising the Commission on Staff's position as to the merits of the Joint Application and the need for a public hearing on the location application;
  - C. Any interested person may intervene in this case by filing a motion for leave to intervene pursuant to Commission Rule 1.2.2.23(A) NMAC and 1.2.2.23(B) NMAC on or before \_\_\_\_\_, 2018;
  - D. Staff shall, and Interveners may, file direct testimony by \_\_\_\_\_, 2018;
  - E. Any rebuttal testimony shall be filed on or before \_\_\_\_\_, 2018, and;
  - F. A public hearing will be held on \_\_\_\_\_, 2018, at \_\_\_\_\_ .m. at the Commission's offices in the P.E.R.A. Building, 1120 Paseo de Peralta, Santa Fe, New Mexico, 87504, to hear and receive evidence, arguments, and any other appropriate matters pertaining to the case.

8. In accordance with NMSA 1978, §62-9-3(K), the Commission may approve the Corona Wind Companies' request for location approval without formal hearing if no protest is filed within sixty (60) days after notice has been given that the Joint Application has been filed.

9. The Joint Application may be examined by an interested person at the Commission's website (<http://www.nmprc.state.nm.us/>), the Corona Wind Companies' website (<http://www.coronawindprojects.com>) or at the offices of the Corona Wind Companies and the Commission at the following addresses:

The Corona Wind Companies  
Pier 1, Bay 3  
San Francisco, CA 94111

New Mexico Public Regulation Commission  
P.E.R.A. Building  
1120 Paseo de Peralta  
Santa Fe, NM 87504

10. Pursuant to Commission Rule 17.9.592.13 NMAC, the Joint Application may also be examined by any interested person at:

Town of Carrizozo Public Library,  
c/o Head Librarian  
406 Central Avenue (Hwy 54)  
Carrizozo, NM 88301

Town of Estancia, Public Library  
c/o Angela Creamer - Head Librarian  
601 South Tenth Street  
PO Box 166 Estancia, NM 87016

Moise Memorial Library  
c/o Mary Martinez - Library Director  
208 S. 5th St.  
Santa Rosa, NM 88435

11. Any interested person may appear at the time and place of hearing and make a written or oral comment, pursuant to Commission Rule 1.2.2.23(F) NMAC without becoming an intervenor. Such comments will not be considered as evidence in this case.

12. The procedural dates and requirements provided herein are as provided in the Procedural Order issued in this case and are subject to further order of the Commission or Hearing Examiner. Any interested person should contact the Commission for confirmation of the hearing date, time and place since hearings are occasionally rescheduled.

13. Anyone filing pleadings, documents or testimony shall serve copies thereof on all parties of record and Staff and the Hearing Examiner by (1) first class mail or hand-delivery and (2) by email as provided by the Procedural Order. Copies served on the Hearing Examiner shall include an electronic version of the filing in word format. All filings shall be e-mailed on the date they are filed with the Commission. Any person whose testimony has been pre-filed will attend the hearing and submit to examination under oath.

14. The Commission's Rules of Procedure, 1.2.2 NMAC, shall apply to this case except as modified by order of the Commission or Hearing Examiner. A copy of the rules may be obtained from the offices of the Commission or at [www.nmprc.state.nm.us/nmcc/](http://www.nmprc.state.nm.us/nmcc/).

15. All documents mailed to the Commission and its personnel shall be mailed to: New Mexico Public Regulation Commission, P.E.R.A. Building, P.O. Box 1269, Santa Fe, New Mexico 87504-1269. The following physical address of the Commission shall be used only for special or hand-deliveries: 1120 Paseo de Peralta, Santa Fe, New Mexico 87504.

16. ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THIS CASE SHOULD CONTACT THE COMMISSION AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE HEARING.

**ISSUED** at Santa Fe, New Mexico, this \_\_\_\_ day of \_\_\_\_\_, 2018.

**NEW MEXICO PUBLIC REGULATION COMMISSION**

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**Hearing Examiner**