



## NELSON DAVIS

Apache County Board of Supervisors  
Supervisor, District III

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February 02, 2026

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Arizona Corporation Commission

DOCKETED

FEB 10 2026

DOCKETED BY

Arizona Power Plant and Transmission Line Siting Committee  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

Re: Lava Run Interconnection Project – County Conditional Use Permit Requirement

Dear Mr. Chairman and Members of the Line Siting Committee:

I am writing as the elected Supervisor for Apache County's District Three regarding the proposed Lava Run Interconnection Line Project submitted by CG Apache County Wind LLC and CG Apache County Solar LLC.

As County Supervisor of District Three, I maintain that the Applicant must first obtain a Conditional Use Permit (CUP) from the Apache County Planning and Zoning Commission and approval from the Board of Supervisors before the Committee considers the proposed generation tie transmission line.

This project lies entirely within District III, and Apache County is the legally designated land-use authority for unincorporated areas under A.R.S. § 11-802. This statute assigns responsibility for coordinated land-use planning, public safety, and infrastructure impacts to the County. The Zoning Ordinance, Article 4 (Utility Renewable Energy Systems), explicitly requires a CUP for utility-scale renewable energy projects and their associated infrastructure, including substations and interconnection lines. This process ensures thorough review of land-use compatibility, emergency services capacity, transportation impacts, wildlife resources, and community character. While the Arizona Corporation Commission has jurisdiction over the generation tie line for purposes of the Certificate of Environmental Compatibility, Apache County's zoning and permitting authority remains intact and applicable. The Arizona State Land Department also requires compliance with local zoning regulations for renewable energy projects located on State Trust Land.

The proposed interconnection line crosses areas governed by the Apache County Comprehensive Plan and the Vernon Community Plan, both of which emphasize protecting rural character, addressing emergency response limitations, ensuring land-use compatibility, and evaluating cumulative development impacts. These considerations are best addressed through the County's CUP process, which includes public input and enforceable conditions of approval.

For these reasons, I strongly urge that the Applicant be required to obtain County Conditional Use Permit approval before advancing state-level approval of the transmission line. Doing so will ensure

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proper coordination between jurisdictions, a complete factual record, and meaningful consideration of local land-use impacts.

Thank you for your continued engagement with Apache County and for the opportunity to provide local government input into this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Nelson Davis". The signature is fluid and cursive, with the first name "Nelson" written in a larger, more prominent script than the last name "Davis".

Nelson Davis  
Supervisor, District III,  
Apache County Board of Supervisors