

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

OPEN MEETING ITEM



0000000616

ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION

JUN 19 11 20 AM '00

NOTICE

DOCUMENT CONTROL

TO: POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE
MEMBERS AND INTERESTED PARTIES

SUBJECT: DUKE ENERGY MARICOPA, LLC
DOCKET NO. L-00000P-00-0098

DATE: June 16, 2000

Enclosed for your review is a copy of the Certificate of Environmental Compatibility in Case No. 98, which has been executed by Paul Bullis, Chairman-Designee for the Power Plant and Transmission Line Siting Committee.

It is anticipated this will be scheduled for Open Meeting of July 18, 2000, and July 19, 2000, for consideration and approval by the Commission unless request for review of the decision is received on or before July 03, 2000.

Sincerely,

Alicen Perry
Utilities Division

Enc.

CC. Paul A. Bullis, Assistant Attorney General
Docket Control

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

3 IN THE MATTER OF THE APPLICATION
4 OF DUKE ENERGY MARICOPA, LLC IN
5 CONFORMANCE WITH THE
6 REQUIREMENTS OF ARIZONA REVISED
7 STATUTES 40-360.01 ET SEQ., FOR A
8 CERTIFICATE OF ENVIRONMENTAL
9 COMPATIBILITY AUTHORIZING
10 CONSTRUCTION OF NATURAL GAS-
11 FIRED, COMBINED CYCLE GENERATING
12 FACILITIES AND ASSOCIATED
13 TRANSMISSION LINE NEAR ARLINGTON
14 IN MARICOPA COUNTY, ARIZONA.

CASE NO. 98

DOCKET NO. L-00000P-99-0098

DECISION NO. _____

11 **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

12 Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line
13 Siting Committee (the "Committee"), held public hearings at the Arizona Corporation Commission,
14 1200 W. Washington, Phoenix, Arizona, on March 9, 2000, and May 5, 2000, in conformance with
15 the requirements of Arizona Revised Statutes section 40-360, *et seq.*, for the purpose of receiving
16 evidence and deliberating on the Application of Duke Energy Maricopa LLC ("Duke") for a
17 Certificate of Environmental Compatibility ("Certificate") in the above-captioned case.

18 The following members or designees of members of the Committee were present for the
19 hearing on the Application:

20 Charles S. Pierson ¹	Chairman, Designee for Arizona Attorney General Janet Napolitano
21 Steve Olea	Designee for the Chairman of the Arizona Corporation Commission
22 Richard Tobin	Deputy Director, Arizona Department of Environmental Quality
23 Dennis Sundie	Designee for the Director of the Department of Water Resources
24 Mark McWhirter	Designee for the Director of the Energy Office of the Arizona
25	Department of Commerce

26
27 _____
28 ¹ Mr. Pierson, who did not vote on this application, retired before this Certificate of Environmental Compatibility was prepared. Accordingly, it was signed by the undersigned as successor chairman.

1 Jeff McGuire Appointed Member

2 Wayne Smith Appointed Member

3 The Applicant was represented by Thomas H. Campbell and Michael Denby of Lewis and
4 Roca LLP. Staff of the Arizona Corporation Commission ("Staff") noticed their intervention as a
5 party, and were represented by Teena Wolfe. Arizona Center for Law in the Public Interest ("the
6 Center") noticed its intervention but did not appear at the hearing. Accordingly, the Center was not
7 made a party. There were no other interventions or limited appearances.

8 At the conclusion of the hearing and deliberations, the Committee, having received and
9 considered the Application, the appearance of Applicant and the Staff, the evidence, testimony and
10 exhibits presented by Applicant and the Staff, and being advised of the legal requirements of Arizona
11 Revised Statutes Sections 40-360 to 40-360.13, upon motion duly made and seconded, voted to grant
12 Applicant the following Certificate of Environmental Compatibility (Case No. 98):

13 Duke Energy Maricopa LLC and its assignee(s), are granted a Certificate of Environmental
14 Compatibility authorizing construction of a 580 megawatt (nominal) natural gas-fired, combined
15 cycle generating facility, together with related infrastructure and appurtenances, which generating
16 unit shall be located in Maricopa County, Arizona, approximately 0.7 miles southwest of the
17 intersection of Elliot Road and Wintersburg Road, and an approximately 2.4 mile 500 kv
18 transmission line connecting the generating facility with the Palo Verde South switchyard.

19 This Certificate is granted upon the following conditions:

- 20 1. The Applicant and its assignees will comply with all existing applicable air and water
21 pollution control standards and regulations, and with all existing applicable
22 ordinances, master plans and regulations of the State of Arizona, the County of
Maricopa, the United States, and any other governmental entities having jurisdiction.
- 23 2. This authorization to construct the Project will expire five years from the date the
24 Certificate is approved by the Arizona Corporation Commission unless construction is
25 completed to the point that the plant is capable of operating at its rated capacity by that
26 time; provided, however, that prior to such expiration the Project owner may request
27 that the Arizona Corporation Commission extend this time limitation.
- 28 3. Applicant's project having two (2) approved transmission lines emanating from its
power plant's transmission switchyard and interconnecting with the existing
transmission system. This plant interconnection must satisfy the single contingency
outage criteria (N-1) without reliance on remedial action such a generator unit tripping
or load shedding.

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

4. Applicant providing to the Commission, not more than 12 months prior to the commercial operation of the plant, a technical study regarding the sufficiency of transmission capacity to the plant. Applicant has satisfied this condition for its 580 MW facility; provided that applicant meets all construction deadlines and operational deadlines as set forth in its application.
5. Applicant submitting to the Commission an interconnection agreement with the transmission provider with whom it is interconnecting.
6. Applicant or one of its affiliates becoming a member of WSCC, or its successor, and filing a copy of its WSCC Reliability Criteria Agreement or Reliability Management System (RMS) Generator Agreement with the Commission.
7. Applicant using commercially reasonable efforts to become a member of the Southwest Reserve Sharing Group, or its successor, thereby making its units available for reserve sharing purposes, subject to competitive pricing.
8. Conditions 3-7 above shall automatically terminate if they or substantially similar conditions are not included in future generating facility Certificates of Environmental Compatibility as approved by the Commission or upon any subsequent amendment or invalidation by the Commission or a reviewing court.
9. The Applicant shall operate its evaporation pond so that any salt residue contained therein shall not cause damage to crops grown on fields adjacent to the Project site.
10. Applicant shall operate the Project so that during normal operations the Project shall not exceed (i) HUD or EPA residential noise guidelines or (ii) OSHA worker safety noise standards.
11. Applicant shall use a zero discharge system for its cooling water, subject to existing regulatory requirements.
12. Applicant shall use low profile structures, moderate stacks, neutral colors, compatible landscaping, and low intensity directed lighting for the plant. Applicant shall use non-reflective conductors and towers.
13. Applicant shall implement a Land Management Plan that includes:
 - (i) Installation of a professionally designed landscape plan for the entrance of the facility and along Elliot Road.
 - (ii) A comprehensive revegetation program that will restore a large portion of the property with plant communities similar to the adjacent desert lands.
 - (iii) A partnership with The Arizona Game and Fish Department to provide enhanced wildlife habitat on lands that border Centennial Wash.
 - (iv) An annual report (for six years) submitted to the Arizona Corporation Commission setting forth the status of the Land Management Plan.

• • •

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 . . .

14. Applicant shall meet all the requirements for groundwater set forth in the Third Management Plan for the Phoenix Active Management Area.

GRANTED this 16th day of June, 2000.

THE ARIZONA POWER PLANT AND TRANSMISSION
LINE SITING COMMITTEE

By Paul A Bullis
Paul A. Bullis
Chairman

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

APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

Chairman Commissioner Commissioner

In Witness Hereof, I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, set my hand and cause the official seal of this Commission to be affixed, this ____ day of _____, 2000.

By _____
Brian C. McNeil
Executive Secretary

Dissent: _____