

**INTERVENTION
ORIGINAL
MUNGER CHADWICK, P.L.C.**



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November 12, 2004

Colleen Ryan, Supervisor
Document Control
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

NOV 12 2004

DOCKETED BY

Re: In the matter of Salt River Project *et al.*
Docket No. L-00000B-04-0126

Dear Ms. Ryan:

Enclosed for filing in the above-captioned proceeding are the original and twenty-eight (28) copies of a Notice of Intent to Intervene, or, In the Alternative, Application/ Motion for Leave to Intervene on behalf of Save Our Valley Association.

Also enclosed are two additional copies to be conformed and returned in the self-addressed stamped envelope we have provided for your convenience.

Please let me know if you have any questions, and thank you for your assistance.

Sincerely,

Lawrence V. Robertson, Jr.

LVR:cl

cc: All Parties of Record
enclosures

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2004 NOV 12 P 4: 00
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DOCUMENT CONTROL

1 MUNGER CHADWICK, P.L.C.

RECEIVED

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AZ CORP COMMISSION
DOCUMENT CONTROL

7 Lawrence V. Robertson, Jr.

8 State Bar No.: 001709

9 Attorney for Intervenors SAVE OUR VALLEY ASSOCIATION

10 BEFORE THE ARIZONA POWER PLANT AND

11 TRANSMISSION LINE SITING COMMITTEE

12 IN THE MATTER OF THE APPLICATION OF)
13 SALT RIVER PROJECT AGRICULTURAL)
14 IMPROVEMENT AND POWER DISTRICT ON)
15 BEHALF OF ITSELF AND ARIZONA PUBLIC)
16 SERVICE COMPANY, SANTA CRUZ WATER)
17 AND POWER DISTRICTS ASSOCIATION,)
18 SOUTHWEST TRANSMISSION COOPERATIVE,)
19 INC. AND TUCSON ELECTRIC POWER IN)
20 CONFORMANCE WITH THE REQUIREMENTS)
21 OF ARIZONA REVISED STATUTES SECTION)
22 40-360, et. seq., FOR A CERTIFICATE OF)
23 ENVIRONMENTAL COMPATIBILITY)
24 AUTHORIZING CONSTRUCTION OF THE)
25 PINAL WEST TO SOUTHEAST)
26 VALLEY/BROWNING PROJECT INCLUDING)
27 THE CONSTRUCTION OF TRANSMISSION)
28 LINES FROM PINAL WEST TO THE)
BROWNING SUB-STATION AND OTHER)
INTERCONNECTION COMPONENTS IN PINAL)
AND MARICOPA COUNTIES, ARIZONA.)

Docket No. L00000B-04-0126

Case No. 126

NOTICE OF INTENT TO
INTERVENE, OR, IN THE
ALTERNATIVE, APPLICATION/
MOTION FOR LEAVE TO
INTERVENE

Arizona Corporation Commission

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I.

INTRODUCTION

Pursuant to A.R.S. § 40-360.05(A)(3) and A.A.C. R14-3-204(A), SAVE OUR VALLEY ASSOCIATION ("SOVA") an informal association of persons, through undersigned counsel, hereby gives Notice of Intent to Intervene in the above-captioned proceeding. In the alternative,

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and pursuant to A.R.S. § 360.05(A)(4), SOVA, through undersigned counsel, submits this Application / Motion for Leave to Intervene in the above-captioned proceeding.

II.

DESCRIPTION OF SAVE OUR VALLEY ASSOCIATION

SOVA is an informal association of approximately 240 individuals and entities who own both developed and undeveloped real property in Sections 8, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 27 and 28, Township 5 South, Range 2 East, G&SRBM, Pinal County, Arizona. SOVA was formed in response to the Application for a Certificate of Environmental Compatibility which is the subject of the above-captioned proceeding.

III.

DESCRIPTION OF SOVA MEMBERS' INTERESTS

Many of the members of SOVA reside upon parcels of land they own in the aforementioned sections of Pinal County, Arizona. Others have acquired their parcels for purposes of constructing future residences upon reaching retirement. In addition, some members have acquired their parcels for investment purposes in light of development which has occurred in the area in recent years, with a resulting increase in the value of undeveloped parcels. As a consequence, each of SOVA's members are concerned about the effect that the preferred alignment of the transmission line route proposed by the Salt River Project could have upon (i) the natural beauty and environment of the area within which their properties are located, (ii) the orderly development of the areas in which the proposed transmission line facilities would be located, and (iii) the resulting impact of construction and operation of said facilities upon their respective lifestyles, quality of life and property values. In that regard, they could be directly and substantially affected by any decision on the merits made by the Arizona Power Plant and Transmission Line Siting Committee ("Committee") or the Arizona Corporation Commission

1 (“Commission”) with respect to the application which is the subject of the above-captioned
2 proceeding.

3
4 **IV.**

5 **ALTERNATIVE PLEADING FORMS**

6 In light of the description of interests of its members set forth in Section III above, SOVA
7 believes that it satisfies the requirements of A.R.S. §40-360.05(A)(3) and A.A.C. R14-3-204(A),
8 and it is therefore entitled to intervention as a matter of statutory right through the filing of a
9 Notice of Intent to Intervene. However, because SOVA has not filed any formal articles of
10 organization with the Corporations Division of the Commission, and as a precautionary measure,
11 SOVA is also submitting this Application/ Motion for Leave to Intervene in the Alternative,
12 which is directed to the discretion of the Committee and its Chairman pursuant to A.R.S. § 40-
13 360.05(A)(4). Under the circumstances described in Section III above, SOVA further believes it
14 has satisfied the requirements for intervention on a discretionary basis.
15

16 **V.**

17 **CONCLUSION**

18 WHEREFORE, SOVA hereby requests that the Committee or its Chairman enter an
19 appropriate order allowing SOVA to participate in the above-captioned proceeding as a party of
20 record with all attendant rights. In that regard, all communications in connection with SOVA’s
21 participation therein should be addressed to:
22

23 Lawrence v. Robertson, Jr.
24 Munger Chadwick, P.L.C.
25 National Bank Plaza
26 333 N. Wilmot, Ste 300
27 Tucson, Arizona 85711
28 Phone: (520) 721-1900
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DATED: November 12, 2004

Respectfully submitted,

Lawrence V. Robertson, Jr.

Lawrence V. Robertson, Jr.
Munger Chadwick, P.L.C.
Attorneys for SAVE OUR VALLEY
ASSOCIATION

An original and 28 copies of the foregoing were filed on the 12th day of November, 2004 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Copy of the foregoing mailed/
emailed/faxed this 12th day of
November, 2004 to the following:

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