



BEFORE THE POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

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IN THE MATTER OF THE APPLICATION OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT ON BEHALF OF ITSELF AND ARIZONA PUBLIC SERVICE COMPANY, SANTA CRUZ WATER AND POWER DISTRICTS ASSOCIATION, SOUTHWEST TRANSMISSION COOPERATIVE, INC. AND TUCSON ELECTRIC POWER IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES SECTION 40-360, et. seq., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE PINAL WEST TO SOUTHEAST VALLEY/BROWNING PROJECT INCLUDING THE CONSTRUCTION OF TRANSMISSION LINES FROM PINAL WEST TO THE BROWNING SUBSTATION AND OTHER INTERCONNECTION COMPONENTS IN PINAL AND MARICOPA COUNTIES, ARIZONA.

CASE NO. 126  
DOCKET NO. L-00000B-04-0126-00000

NOTICE OF FILING SAMPLE FORMS OF ORDER

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The Commission's Legal Division hereby submits three sample forms of order for the Commission's convenience when considering the Siting Committee's decision in the above-captioned matter. One sample order approves the Siting Committee's decision as it was issued by the Siting Committee. The second sample order is in a format for Commission modifications to the Siting Committee's decision. Both examples are based upon previous Commission Siting decisions. A third sample order, also based upon a previous Commission decision, is provided in a format for denial of a CEC.

RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of August 2005.

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1 Pursuant to R14-3-204  
2 the ORIGINAL and  
3 twenty-five copies were  
4 filed this 2nd day of  
5 August 2005 with:

6 Docket Control  
7 Arizona Corporation Commission  
8 1200 West Washington Street  
9 Phoenix, Arizona 85007

10 COPY of the foregoing  
11 mailed this 2nd day of August 2005, to:

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By *Linda R. Kujala*

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT ON  
BEHALF OF ITSELF AND ARIZONA PUBLIC  
SERVICE COMPANY, SANTA CRUZ  
WATER AND POWER DISTRICTS  
ASSOCIATION, SOUTHWEST  
TRANSMISSION COOPERATIVE, INC. AND  
TUCSON ELECTRIC POWER IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES SECTION 40-360, et. seq., FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING  
CONSTRUCTION OF THE PINAL WEST TO  
SOUTHEAST VALLEY/BROWNING  
PROJECT INCLUDING THE  
CONSTRUCTION OF TRANSMISSION  
LINES FROM PINAL WEST TO THE  
BROWNING SUBSTATION AND OTHER  
INTERCONNECTION COMPONENTS IN  
PINAL AND MARICOPA COUNTIES,  
ARIZONA.

Docket No. L-00000B-04-0126

Case No. 126

DECISION NO. \_\_\_\_\_

(Sample Form of Order Granting CEC as Issued  
by the Siting Committee)

The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Committee") is hereby granted by this Order.

The Commission further finds and concludes that: (1) the Project is in the public interest because it aids the state in meeting the need for an adequate, economical and reliable supply of electric power; (2) in balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its impact on the environment and ecology of the state; (3) the conditions placed on the CEC by the

Decision No. \_\_\_\_\_

1 Committee resolve matters concerning the need for the Project and its impact on the environment and  
2 ecology of the state raised during the course of proceedings, and as such, serve as the findings on the  
3 matters raised; and (4) in light of these conditions, the balancing in the broad public interest results in  
4 favor of granting the CEC.

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THE CEC ISSUED BY THE SITING COMMITTEE IS  
INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE  
ARIZONA CORPORATION COMMISSION

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CHAIRMAN                      COMMISSIONER                      COMMISSIONER

COMMISSIONER                      COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BRIAN C. MCNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT ON  
BEHALF OF ITSELF AND ARIZONA PUBLIC  
SERVICE COMPANY, SANTA CRUZ  
WATER AND POWER DISTRICTS  
ASSOCIATION, SOUTHWEST  
TRANSMISSION COOPERATIVE, INC. AND  
TUCSON ELECTRIC POWER IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES SECTION 40-360, et. seq., FOR A  
CERTIFICATE OF ENVIRONMENTAL  
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CONSTRUCTION OF THE PINAL WEST TO  
SOUTHEAST VALLEY/BROWNING  
PROJECT INCLUDING THE  
CONSTRUCTION OF TRANSMISSION  
LINES FROM PINAL WEST TO THE  
BROWNING SUBSTATION AND OTHER  
INTERCONNECTION COMPONENTS IN  
PINAL AND MARICOPA COUNTIES,  
ARIZONA.

Docket No. L-00000B-04-0126

Case No. 126

**DECISION NO.** \_\_\_\_\_

*(Sample Form of Order Modifying CEC  
as Issued by the Siting Committee)*

The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Committee") is hereby granted as modified and amended by this Order.

The Commission modifies the CEC to add the following condition:

The Commission further finds and concludes that: (1) the Project is in the public interest because it aids the state in meeting the need for an adequate, economical and reliable supply of

Decision No. \_\_\_\_\_

1 electric power; (2) in balancing the need for the Project with its effect on the environment and  
2 ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its  
3 impact on the environment and ecology of the state; (3) the conditions placed on the CEC by the  
4 Committee resolve matters concerning the need for the Project and its impact on the environment and  
5 ecology of the state raised during the course of proceedings, and as such, serve as the findings on the  
6 matters raised; and (4) in light of these conditions, the balancing in the broad public interest results in  
7 favor of granting the CEC as modified by the Commission.

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**THE CEC ISSUED BY THE SITING COMMITTEE IS  
INCORPORATED HEREIN AND IS APPROVED AS MODIFIED BY ORDER OF THE  
ARIZONA CORPORATION COMMISSION**

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CHAIRMAN

COMMISSIONER

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COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BRIAN C. MCNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

- JEFF HATCH-MILLER, Chairman
- WILLIAM A. MUNDELL
- MARC SPITZER
- MIKE GLEASON
- KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT ON BEHALF OF ITSELF AND ARIZONA PUBLIC SERVICE COMPANY, SANTA CRUZ WATER AND POWER DISTRICTS ASSOCIATION, SOUTHWEST TRANSMISSION COOPERATIVE, INC. AND TUCSON ELECTRIC POWER IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES SECTION 40-360, et. seq., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE PINAL WEST TO SOUTHEAST VALLEY/BROWNING PROJECT INCLUDING THE CONSTRUCTION OF TRANSMISSION LINES FROM PINAL WEST TO THE BROWNING SUBSTATION AND OTHER INTERCONNECTION COMPONENTS IN PINAL AND MARICOPA COUNTIES, ARIZONA.

Docket No. L-00000B-04-0126

Case No. 126

DECISION NO. \_\_\_\_\_

*(Sample Form of Order Denying CEC as Issued the Siting Committee)*

The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to A.R.S. § 40-360.07. Pursuant to A.R.S. § 40-360.07(B), the Commission, in compliance with A.R.S. § 40-360.06 and in balancing the broad public interest, the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, finds that the above-captioned Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is hereby denied.

The Commission further finds and concludes that in balancing the broad public interest under A.R.S. § 40-360.07(B) in this matter:

Decision No. \_\_\_\_\_

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- 1. the evidence in the record is not sufficient to weigh the balancing of the public interest in favor of granting a CEC in this matter when all the factors set forth in A.R.S. § 40-360.06 are considered along with need for an adequate economical, and reliable supply of electric power for the state;
- 2. the conditions placed upon CEC by the Arizona Power Plant and Transmission Line Siting Committee (“Siting Committee”) are not sufficient to weigh the balancing of the public interest in favor of granting a CEC in this matter when all the factors set forth in A.R.S. § 40-360.06 are considered along with the need for an adequate, economical, and reliable supply of electric power for the state;
- 3. the record compels balancing the competing public interests in favor of protection of the environment and ecology of the State of Arizona by denying Applicant a Certificate of Environmental Compatibility;
- 4. the CEC issued by the Siting Committee should not be confirmed and approved by the Commission; and
- 5. the Commission’s findings 1 through 4 above serve as the Commission’s findings of fact and conclusions of law in reaching its decision.

Therefore, the Commission further finds and concludes that the CEC issued by the Siting Committee is hereby denied by this Order; and, the above-captioned Application for a CEC is hereby denied by this Order.

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**THE ABOVE CAPTIONED APPLICATION FOR A CEC IS DENIED, AND,  
THE CEC ISSUED BY THE SITING COMMITTEE IS  
INCORPORATED HEREIN AND IS DENIED BY ORDER OF THE  
ARIZONA CORPORATION COMMISSION**

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CHAIRMAN                      COMMISSIONER                      COMMISSIONER

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COMMISSIONER                      COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BRIAN C. MCNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_