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BEFORE THE ARIZONA CORPORATION COMMISSION

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MIKE GLEASON
Chairman

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WILLIAM A. MUNDELL
Commissioner

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

MAR 21 2007

JEFF HATCH-MILLER
Commissioner

KRISTIN K. MAYES
Commissioner

L-000000-02-0120-00000

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GARY PIERCE
Commissioner

IN THE MATTER OF THE APPLICATION)
OF ARIZONA PUBLIC SERVICE)
COMPANY, PURSUANT TO ARIZONA)
REVISED STATUTE § 40-252, FOR AN)
AMENDMENT OF A.C.C. DECISION)
NO. 65997.)

APPLICATION TO AMEND
A.C.C. DECISION NO. 65997

Docket No.

Arizona Corporation Commission ("Commission") Decision No. 65997 (June 18, 2003) (Exhibit A) (Line Siting Case No. 120) approved a Certificate of Environmental Compatibility ("CEC") granted by the Arizona Power Plant and Transmission Line Siting Committee ("Committee") for Arizona Public Service Company ("APS") to build a double-circuit 230kV transmission line between the Westwing Substation in Section 12, Township 4 North, Range 1 West, the Raceway Substation, Sections 4 and 5, Township 5 North, Range 1 East, and the Pinnacle Peak Substation, Section 10, Township 4 North, Range 4 East (the "Project"). Decision No. 65997 also approved the construction of the proposed Avery Substation at Section 15, Township 5 North, Range 2 East and the proposed Misty Willow Substation at Section 8, Township 4 North, Range 3 East.

On February 20, 2007, the Commission issued a new CEC in Decision No. 69343 (Exhibit B) (Line Siting Case No. 131) authorizing a 500/230kV transmission line

1 between the proposed TS-9 Substation in Section 33, Township 6 North, Range 1 East and
2 the Pinnacle Peak Substation.

3 In accordance with Condition No. 29 of Decision No. 69343, APS respectfully
4 requests that the Commission amend Decision No. 65997 to revoke approval of the
5 double-circuit 230kV transmission line except for the Commission's prior approval of the
6 portion of the Project between Westwing and Raceway substations. Also, in accordance
7 with Condition No. 29, the approval of the proposed Avery and Misty Willow substations
8 would remain in effect.

9 **PROPOSED CHANGE**

10 Specifically, APS proposes the following two amendments to Commission
11 Decision No. 65997.

12 First, APS requests that the Commission add the following language to Decision
13 No. 65997 as Condition No. 31: "Applicant shall not build that portion of the Project
14 approved in this Case located between: (a) the intersection of the section line that
15 designates the Dove Valley Road alignment and the existing Navajo-Westwing 500/230kV
16 corridor; and (b) the Pinnacle Peak substation. Applicant retains the authorization to
17 construct the Avery and Misty Willow substations (Decision No. 65997, Case No. 120,
18 pages 3:15-17 and 4:9-11) and also that portion of the 230kV transmission line between
19 the Westwing and Raceway substations (Decision No. 65997, page 3:5-13) as described,
20 noticed and certificated in this Case No. 120."

21 That portion of the 230kV transmission line that APS wants to retain the
22 authorization to build is just one 230kV circuit between Westwing and Raceway. APS
23 also requests that this particular circuit be constructed on single circuit monopoles and that
24 the authority for this particular circuit not expire for 15 years from the date of Decision
25 No. 65997, which will be April 24, 2018. A conceptual model of the monopoles is
26 depicted in Exhibit C.

1 Second, Condition 23 in Decision No. 65997 is no longer applicable because this
2 condition has been superseded by Condition No. 24 in Decision No. 69343. Therefore,
3 APS requests that the Commission revoke Condition 23 in Decision No. 65997. (*See*
4 Decision No. 69343, Condition 29).

5 To assist the Commission in reviewing this Application, APS has attached the
6 following exhibits:

7 Exhibit A is a copy of Commission Decision No. 65997 granting the CEC for the
8 North Valley 230kV Facility Siting Project.

9 Exhibit B is a copy of Commission Decision No. 69343 granting the CEC for the
10 TS-9 to Pinnacle Peak 500kV/230kV Transmission Line Project.

11 Exhibit C is a conceptual model of the single-circuit monopoles.

12 **CONCLUSION AND REQUEST**

13 APS respectfully requests that the Commission adopt the two proposed
14 amendments to Decision No. 65997 pursuant to A.R.S. § 40-252. The factors that support
15 these amendments are:

16 1. The amendments are necessary to implement Condition 29 in Decision No.
17 69343 (Line Siting Case No. 131);

18 2. The approval of the amendments to Decision No. 65997 will provide public
19 notice in Line Siting Case No. 120 of the impact of Decision No. 69343 (Line Siting Case
20 No. 131) and;

21 3. The amendments provide clarity and consistency within the administrative
22 record regarding the approval of the TS-9 to Pinnacle Peak 500kV/230kV Transmission
23 Line Project;

24

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26

LEWIS
AND
ROCA
LLP
LAWYERS

1 Lyn Farmer, Chief Administrative Law Judge
2 Hearing Division
3 Arizona Corporation Commission
4 1200 W. Washington Street
5 Phoenix, Arizona 85007

6 Ernest Johnson, Director
7 Utilities Division
8 Arizona Corporation Commission
9 1200 W. Washington Street
10 Phoenix, Arizona 85007

11 Steve Taylor
12 Utilities Division
13 Arizona Corporation Commission
14 1200 W. Washington Street
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16 COPY of the foregoing mailed this
17 21st day of March, 2007, to:

18 Laurie Woodall
19 Office of the Attorney General
20 1275 W. Washington Street
21 Phoenix, Arizona 85007

22 Gary Yaquinto
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5 Two North Central Avenue
6 Phoenix, AZ 85004-2391

7 Beverly Jackson
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EXHIBIT A

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 MARC SPITZER, Chairman
4 JIM IRVIN
5 WILLIAM A. MUNDELL
6 JEFF HATCH-MILLER
7 MIKE GLEASON

Arizona Corporation Commission

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7 IN THE MATTER OF THE APPLICATION OF ARIZONA
8 PUBLIC SERVICE COMPANY, IN CONFORMANCE
9 WITH THE REQUIREMENTS OF ARIZONA REVISED
10 STATUTES SECTION 40-360, ET SEQ., FOR A
11 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY
12 AUTHORIZING THE NORTH VALLEY 230kV FACILITY
13 SITING PROJECT, INCLUDING THE CONSTRUCTION
14 OF APPROXIMATELY 31 MILES OF 230kV
15 TRANSMISSION LINES, TWO 230kV SUBSTATIONS,
16 AND THREE SUBSTATION INTERCONNECTIONS IN
17 MARICOPA COUNTY, ARIZONA, ORIGINATING AT
18 THE WESTWING SUBSTATION IN SECTION 12,
19 TOWNSHIP 4 NORTH, RANGE 1 WEST, G&SRB&M AND
20 INTERCONNECTING AT THE RACEWAY SUBSTATION
21 IN SECTIONS 4 AND 5, TOWNSHIP 5 NORTH, RANGE 1
22 EAST, G&SRB&M, CONTINUING TO THE PROPOSED
23 AVERY SUBSTATION IN SECTION 15, TOWNSHIP 5
24 NORTH, RANGE 2 EAST, G&SRB&M AND THE
25 PROPOSED MISTY WILLOW SUBSTATION IN SECTION
26 8, TOWNSHIP 4 NORTH, RANGE 3 EAST, G&SRB&M,
27 AND TERMINATING AT THE PINNACLE PEAK
28 SUBSTATION IN SECTION 10, TOWNSHIP 4 NORTH,
RANGE 4 EAST, G&SRB&M.

CASE NO. 120

Docket No. L-00000D-02-0120

DECISION NO. 65997

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

24 The Commission modifies the CEC to add the following condition:

25 30. Applicant shall work with developers along the route to include the identity and
26 location of the certificated route in the developers' homeowners disclosure statements.

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

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

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1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS
3 APPROVED AS AMENDED BY THIS ORDER OF THE
4 ARIZONA CORPORATION COMMISSION

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7 CHAIRMAN

COMMISSIONER

COMMISSIONER

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10 COMMISSIONER

COMMISSIONER

11 IN WITNESS WHEREOF, I, JAMES G. JAYNE, Interim
12 Executive Secretary of the Arizona Corporation Commission,
13 have hereunto, set my hand and caused the official seal of the
14 Commission to be affixed at the Capitol, in the City of Phoenix,
15 this 18th day of June, 2003.

16 JAMES G. JAYNE
17 Interim Executive Secretary

18 DISSENT: _____
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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES SECTION
40-360, ET SEQ., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE NORTH VALLEY 230KV
FACILITY PROJECT, CASE NO. 120
INCLUDING THE CONSTRUCTION OF
APPROXIMATELY 31 MILES OF 230KV
TRANSMISSION LINES, TWO 230KV
SUBSTATIONS, AND THREE SUBSTATION
INTERCONNECTIONS IN MARICOPA
COUNTY, ARIZONA, ORIGINATING AT THE
WESTWING SUBSTATION IN SECTION 12,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
G&SRB&M AND INTERCONNECTING AT THE
RACEWAY SUBSTATION IN SECTIONS 4
AND 5, TOWNSHIP 5 NORTH, RANGE 1 EAST,
G&SRB&M, CONTINUING TO THE PROPOSED
AVERY SUBSTATION IN SECTION 15,
TOWNSHIP 5 NORTH, RANGE 2 EAST,
G&SRB&M AND THE PROPOSED MISTY
WILLOW SUBSTATION IN SECTION 8,
TOWNSHIP 4 NORTH, RANGE 3 EAST,
G&SRB&M, AND TERMINATING AT THE
PINNACLE PEAK SUBSTATION IN SECTION
10, TOWNSHIP 4 NORTH, RANGE 4 EAST,
G&SRB&M.

Docket No. L-00000D-02-0120

CASE NO. 120

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission
Line Siting Committee (the "Committee") held public hearings on November 25-26, 2002,
January 27, 2003, January 29, 2003, March 24, 2003 and March 26, 2003, all in conformance

1 with the requirements of Arizona Revised Statutes § 40-360, *et seq.*, for the purpose of
2 receiving evidence and deliberating on the Application of Arizona Public Service Company
3 (“Applicant”) for a Certificate of Environmental Compatibility in the above-captioned case.

4 A route tour was conducted on January 27, 2003.

5 The following members and designees of members of the Committee were present for
6 the deliberations and vote on the Application at the January 29, 2003 hearing:

7 Laurie Woodall Chairman, Designee for Arizona Attorney General,
8 Terry Goddard

9 Ray Williamson Designee for Chairman, Arizona Corporation
10 Commission

11 Richard Tobin Designee for Director, Arizona Department of
12 Environmental Quality

13 Mark McWhirter Designee for Director, Energy Department, Arizona
14 Department of Commerce

15 Margaret Trujillo Appointed Member

16 A. Wayne Smith Appointed Member

17 Michael Whalen Appointed Member

18 Michael Palmer Appointed Member

19 The Applicant was represented by Jeffrey B. Guldner and Lisa M. Coulter of Snell &
20 Wilmer L.L.P. and C. David Martinez of Pinnacle West Capital Corporation. The following
21 parties were granted intervention pursuant to A.R.S. § 40-360.05: Arizona Corporation
22 Commission Staff, represented by Janice M. Alward and Jason D. Gellman; Walter Meek, pro
23 se; United Services Automobile Association, represented by C. Webb Crockett of Fennemore
24 Craig, P.C.; Roles Inc., represented by Roger K. Ferland and Laura Raffaelli of Quarles &
25 Brady Streich Lang L.L.P.; and Beverly Jackson, pro se.

26 At the conclusion of the hearings, the Committee, having received the Application, the

1 appearances of the parties, the evidence, testimony and exhibits presented at the hearings, and
2 being advised of the legal requirements of Arizona Revised Statutes §§ 40-360 to 40-360.13,
3 upon motion duly made and seconded, voted unanimously to grant the Applicant the following
4 Certificate of Environmental Compatibility (Case No. 120):

5 The North Valley project route (depicted on Exhibit A, attached hereto) will
6 originate at the Westwing Substation in Section 12, Township 4 North, Range 1 West,
7 and parallel an existing 500/230kV transmission line corridor northeast (approximately
8 3.1 miles) to the section line that designates the Dove Valley Road alignment. At that
9 point, a radial line will extend northeast for approximately 1.7 miles interconnecting
10 with the 230/69kV Raceway Substation in Sections 4 and 5, Township 5 North, Range
11 1 East. From the Westwing Substation north to Raceway Substation this portion of the
12 route will include a 1,500-foot corridor extending to the east from the westernmost
13 edge of the exiting transmission line right-of-way. From the point where the radial line
14 is extended, the route continues east along the section line associated with the Dove
15 Valley Road alignment for approximately 8.3 miles to the proposed Avery Substation,
16 located approximately ½ mile west of I-17 in Section 15, Township 5 North, Range 2
17 East. There will be a 1,500-foot corridor on each side of the section line that designates
18 the Dove Valley Road alignment in this area. From that point the line will continue
19 south along the 39th Avenue alignment for 1.0 mile to the section line that designates
20 the Lone Mountain Road alignment. The route then crosses Sections 22 and 23,
21 Township 5 North, Range 2 East, on the diagonal to meet I-17, where the 69 kV crosses
22 I-17 at a point identified as Latitude 33.7671852 and Longitude -112.128662. In this
23 area, there will be a 1,000-foot corridor on each side of the proposed centerline of the
24 route. The route then continues south paralleling the west side of I-17 to a point
25 approximately 1.0 mile north of Happy Valley Road and immediately south of Skunk
26 Creek. There will be a 1,000-foot corridor west of the controlled access for I-17. At

1 this point the route parallels the south side of Skunk Creek for approximately 0.1 mile
2 to the 29th Avenue alignment where it turns south and parallels the 29th Avenue
3 alignment to a point approximately 0.25 miles south of Happy Valley Road. Along
4 Skunk Creek and the 29th Avenue alignment there will be a 1,000-foot corridor on
5 either side of the proposed centerline, except that the corridor shall not extend beyond
6 the western boundary of the controlled access for I-17. At this point the route will turn
7 east and cross I-17 approximately 0.25 miles south of Happy Valley Road and parallel
8 the existing 230 kV transmission line corridor for approximately 2.5 miles,
9 interconnecting with the proposed Misty Willow Substation located south of the
10 existing transmission corridor and west of the CAP in Section 8, Township 4 North,
11 Range 3 East. At this point, the route then continues east and parallel to the 230kV
12 transmission line corridor, terminating at the Pinnacle Peak Substation in Section 10,
13 Township 4 North, Range 4 East. In the area from I-17 east to the Pinnacle Peak
14 Substation, there will be a 1,000-foot corridor north of the centerline of the existing
15 Salt River Project ("SRP") transmission line.

16
17 With the exception of turning structures, the Project shall, at a maximum, be
18 constructed on double-circuit monopoles with the capability for double circuit 69 kV
19 underbuild from the Westwing Substation to the west side of 23rd Avenue, and shall be
20 constructed on double-circuit lattice towers for the remainder of the Project.
21 Notwithstanding the foregoing, between 23rd Avenue and the Misty Willow Substation,
22 the Project may be constructed either on double-circuit monopoles with capability for
23 double-circuit 69 kV underbuild or double-circuit lattice towers to match structure
24 types with the existing SRP transmission line.

25 This Certificate is granted upon the following conditions:
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1. The Applicant shall obtain all required approvals and permits necessary to construct the Project.
2. The Applicant shall comply with all existing applicable air and water pollution control standards and regulations, and with all existing applicable ordinances, master plans and regulations of the State of Arizona, the County of Maricopa, the United States, and any other governmental entities having jurisdiction.
3. (a) This authorization to construct the Project shall expire 10 years from the date the Certificate is approved by the Arizona Corporation Commission unless construction is completed to the point that the first circuit of the Project is capable of operating by that time; provided, however, that the authorization to construct the second circuit of the Project shall expire 15 years from date of this Certificate; and further provided, however, that prior to either such expiration the Applicant or its assignees may request that the Commission extend this time limitation.

(b) Prior to constructing any segment of the Project (except for the segment on the Roles Property), Applicant shall file with the Commission technical studies showing the feasibility of interconnecting the Table Mesa 500 kV substation with the Project. These technical studies should determine (i) the impact of the proposed new Phoenix area transmission import delivery point on Phoenix area Reliability Must Run ("RMR") generation requirements, and (ii) the impact on staging and necessity of 230 kV elements authorized for construction in this CEC. As part of those studies, Applicant shall investigate the impacts of interconnecting the Westwing to Navajo 500 kV transmission line(s) into the Table Mesa substation prior to constructing the Palo Verde to Table Mesa 500 kV line. Such studies are to be performed in a collaborative transmission planning study forum such as the ten-year Phoenix area RMR study required by January 31, 2004 or the Central Arizona Transmission Study forum.

(c) Prior to constructing any segment of the Project (except for the segment on the Roles Property), Applicant shall submit a report to the ACC Utilities Division Staff showing how the design appropriately balances pole height, location and span with system reliability. The report shall also demonstrate that any system

1 consolidation shall not detrimentally impact system reliability at
2 the time of construction.

- 3 4. The Applicant shall make every reasonable effort to identify and
4 correct, on a case-specific basis, all complaints of interference
5 with radio or television signals from operation of the transmission
6 line and related facilities addressed in this Certificate. In addition
7 to any transmission repairs, relevant corrective actions may
8 include adjusting or modifying receivers; adjusting, repairing,
9 replacing or adding antennas, antenna signal amplifiers, filters, or
10 lead-in cables; or other corrective actions.

11 The Applicant shall maintain written records for a period of five
12 years of all complaints of radio or television interference
13 attributable to operation, together with the corrective action taken
14 in response to each complaint. All complaints shall be recorded
15 to include notations on the corrective action taken. Complaints
16 not leading to a specific action or for which there was no
17 resolution shall be noted and explained. The record shall be
18 signed by the Applicant and also the complainant, if possible, to
19 indicate concurrence with the corrective action or agreement with
20 the justification for a lack of action.

- 21 5. The North Valley Project shall comply with applicable noise
22 standards of the federal Department of Housing and Urban
23 Development and the Environmental Protection Agency.

- 24 6. The Applicant shall continue to consult with the State Historic
25 Preservation Office ("SHPO") to reach a determination of any
26 cultural or archeological impacts as a result of construction
activities. If the result is a determination of negative impact, the
Applicant shall continue to consult with the SHPO to resolve the
negative impacts. The Applicant will provide a treatment plan, to
minimize impacts, for SHPO review and approval and shall
continue to consult with SHPO to resolve any such impacts. The
Applicant shall avoid and/or minimize impacts to properties
considered eligible for inclusion in the State and National
Register of Historic Places to the extent possible.

7. If the Applicant determines that historic-period structures
Beardsley Canal and Black Canyon Road and archaeological sites
AZ T:7:192 (ASM), AZ T:3:1 (MNA) and AZ T:3:2 (MNA)

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cannot be avoided, then the Applicant shall plan and implement a mitigation program in consultation with SHPO.

8. If human remains and/or funerary objects are encountered during the course of any ground disturbing activities relating to the development of the subject property, Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum in accordance with A.R.S. § 41-865.
9. Applicant shall retain an archeologist on site during construction activities in applicable areas, as determined by SHPO, to advise them in connection with any additional archeological studies that may be required and any mitigation efforts for archeological sites that may be affected by the construction of the Project.
10. After construction, the Applicant, in conjunction with any applicable land managing agency, shall allow Arizona Site Stewards, a volunteer-staffed SHPO program, to periodically inspect the sites within the corridor for vandalism or other damage.
11. The Applicant shall follow the Arizona State Land Department's instructions, if any, regarding the treatment of State Register of Historic Places-eligible properties situated on Arizona State Land Department land in consultation with SHPO.
12. In consultation with SHPO and the land-managing agency, the Applicant will consider and assess potential direct and indirect impacts to eligible properties related to new access roads or any existing access roads that require blading.
13. The Applicant shall design the transmission lines so as to minimize impacts to raptors.
14. Where practicable, the Applicant shall use existing roads for construction and access. The Applicant shall minimize vegetation disturbance, particularly in drainage channels and along stream banks, and shall re-vegetate or restore areas of construction disturbance.
15. The Applicant shall use non-specular conductor and dulled surfaces for transmission line structures.

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16. Within 45 days of securing easement or right of way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until the transmission structures are constructed. There must also be signs at the location of the proposed substations. The signs shall advise:

- that the site has been approved for the construction of Project facilities including a 230 kV transmission line, as applicable to the individual site;
- the expected date of completion of the Project facilities; and
- a phone number for public information regarding the Project.

17. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to directly notify all landowners and residents within a one-half mile radius of the Project facilities for which the extension is sought. Such landowners and residents shall be notified of the time and place of the proceeding in which the Commission shall consider such request for extension.

18. Before construction on this Project may commence, the Applicant must file a construction mitigation and restoration plan with ACC Docket Control with copies to affected areas of jurisdiction. The Applicant shall, within one year of completion of construction of the Project, rehabilitate to its original state any area disturbed by construction of the Project, except for any road that may be necessary to access the transmission lines or substation sites for maintenance and repair.

The goals of the Plan will be to:

- Avoid impacts where practical;
- Where impacts are unavoidable, minimize impacts; and
- Focus on site preparation to facilitate natural processes of revegetation

1 Other key elements of the Plan, when not inconsistent with the
2 respective land management agencies' or local owners'
3 requirements, are to:

- 4 • Emphasize final site preparation to encourage natural
5 revegetation
- 6 • Avoid (i.e., preserve), where practical, mature native trees;
- 7 • Stipulate a maximum construction corridor width;
- 8 • Reserve topsoil and native plan materials from right-of-
9 way before grading, and respread over the right-of-way
10 after construction is complete;
- 11 • Imprint the restored right-of-way to provide indentations
12 to catch seed and water;
- 13 • Implement best management practices to protect the soil;
- 14 • Apply restoration methods that have been shown to work
15 in the desert environment; and
- 16 • Prevent the spread of noxious weeds or other undesirable
17 species.

18 A separate construction mitigation and restoration plan shall be
19 submitted for the conducting of the second circuit on the
20 Project if such conducting does not occur at the same time as
21 the remainder of the Project is constructed.

- 22 19. Applicant shall retain a qualified biologist to monitor all ground
23 clearing/disturbing construction activities that may affect sensitive
24 habitat. The biological monitor will be responsible for ensuring
25 proper actions are taken if a special status species is encountered.
26 If Sonoran desert tortoises are encountered during construction,
the Applicant shall follow the Arizona Game & Fish Department's
Guidelines for Handling Sonoran Desert Tortoises.
- 20 20. Applicant shall salvage mesquite, ironwood, saguaro and palo
21 verde trees removed during project construction activities
22 consistent with Arizona's Native Plant Law and use the
23 vegetation for reclamation in or near its original location.
- 24 21. Applicant shall implement landscaping for the substation sites in
25 accordance with the applicable municipal planning and zoning
26 requirements.
- 22 22. The Applicant shall submit a self-certification letter annually,

1 identifying which conditions contained in the Certificate have
2 been met. Each letter shall be submitted to the Utilities Division
3 Director on December 1, beginning in 2004. Attached to each
4 certification letter shall be documentation explaining, in detail,
5 how compliance with each condition was achieved. Copies of
6 each letter, along with the corresponding documentation, shall
7 also be submitted to the Arizona Attorney General, Department of
8 Water Resources, and Department of Commerce Energy Office.

- 9
- 10 23. For that segment of the route that crosses the planned Happy
11 Valley Road Towne Center property leased by Roles and located
12 at the southeast corner of I-17 and Happy Valley Road ("Roles
13 Segment"), Applicant shall:
- 14
- 15 (a) Construct 230 kV double-circuit tangent steel monopoles
16 and relocate the existing 69 kV transmission line to such
17 monopoles at Applicant's expense;
- 18 (b) Match spans with existing structures that shall have a
19 minimum ground clearance equal to or greater than the
20 ground clearance of the existing lines on the Roles
21 Segment;
- 22 (c) Use commercially reasonable efforts to locate structures
23 within the existing transmission line easement across the
24 property;
- 25 (d) Work in good faith with Roles, Salt River Project, and the
26 Western Area Power Administration to facilitate the
reconstruction of the existing 230 kV transmission
structures on the property as monopoles, with the costs of
such reconstruction to be allocated as agreed to by
Applicant and Roles;
- (e) Construct Applicant's monopoles on the property within
one year of the effective date of this Certificate provided
that Roles has final, approved plans and permits to
construct at that time and has commenced construction;
however, if Roles has not accomplished the foregoing
within one year of the Effective Date of the Certificate,
Applicant's obligation to construct shall be at such time

1 that Roles has final, approved plans and permits to
2 construct and has commenced construction;

3 (f) Relocate Applicant's existing 69 kV transmission line
4 within the same period described in (e), provided that an
5 outage on the 69 kV transmission line can be safely and
6 reliably taken during that period.

7 24. Applicant shall continue to coordinate this Project with both SRP
8 and Western Area Power Administration ("WAPA") to ensure that
9 all possible projects are maximally integrated, taking into account
10 serving Arizona's growing need for electrical service, ensuring
11 reliability for the Project and the Arizona Transmission System
12 and minimizing any and all adverse environmental impacts.
13 Applicant shall provide to the ACC written confirmation of
14 continuing efforts at coordination as described above as part of its
15 compliance with this Certificate.

16 25. With respect to the Project, Applicant shall participate in good
17 faith in state and regional transmission study forums, and shall
18 coordinate transmission expansion plans related to the Project to
19 resolve transmission constraints in a timely manner.

20 26. The following condition is to ensure transmission system safety
21 and reliability when a transmission structure is placed within one
22 hundred feet of a natural gas or hazardous liquid pipeline right of
23 way, excluding distribution lines as defined by the Code of
24 Federal Regulations. Under such circumstances, the Applicant
25 shall:

26 (a) Provide the appropriate grounding and cathodic protection
studies to show that the transmission line results in no
material adverse impacts to such natural gas or hazardous
liquid pipeline, whose right of way is a hundred feet or less
from the transmission structure, when both are in
operation. A report of studies shall be provided to the ACC
by the Applicant as part of its compliance with the
Certificate. If material adverse impacts are noted in the
studies, Applicant shall take appropriate steps to ensure
such material adverse impacts are eliminated. Applicant
shall provide to the ACC written documentation of the

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actions that were taken and provide documentation showing that no material adverse impacts are occurring.

(b) Adopt a written mitigation plan outlining any and all steps taken to protect all electric facilities associated with the transmission line as a result of this Project from any potential hazards that could occur whenever a transmission line structure is placed 100 feet or less from any such pipeline right of way. The plan shall indicate what corrective action will be taken to mitigate any potential hazard that could occur. A potential hazard includes, but is not limited to, a rupture or explosion resulting from the pipeline. The written mitigation plan shall be provided to the ACC by the Applicant as part of its compliance with this Certificate and shall be subject to approval from Commission Staff. Applicant shall implement the written mitigation plan during a hazard as part of its compliance with this Certificate.

- 27. The Applicant shall provide copies of this Certificate to appropriate city and county planning agencies.
- 28. In the final siting of this line, Applicant will work in good faith to offset lines approximately ¼ mile from the Dove Valley Road alignment.
- 29. Applicant shall make good faith effort to work with affected municipalities and land management agencies to encourage future development to move major arterials away from major transmission corridors.

1 GRANTED this 24th day of April, 2003.

2 THE ARIZONA POWER PLANT AND
3 TRANSMISSION LINE SITING COMMITTEE

4 By: Laurie A Woodall
5 Laurie A. Woodall, Chairman

6 APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

7 [Signature]
8 Chairman

9 [Signature]
10 Commissioner

11 [Signature]
12 Commissioner

13 [Signature]
14 Commissioner

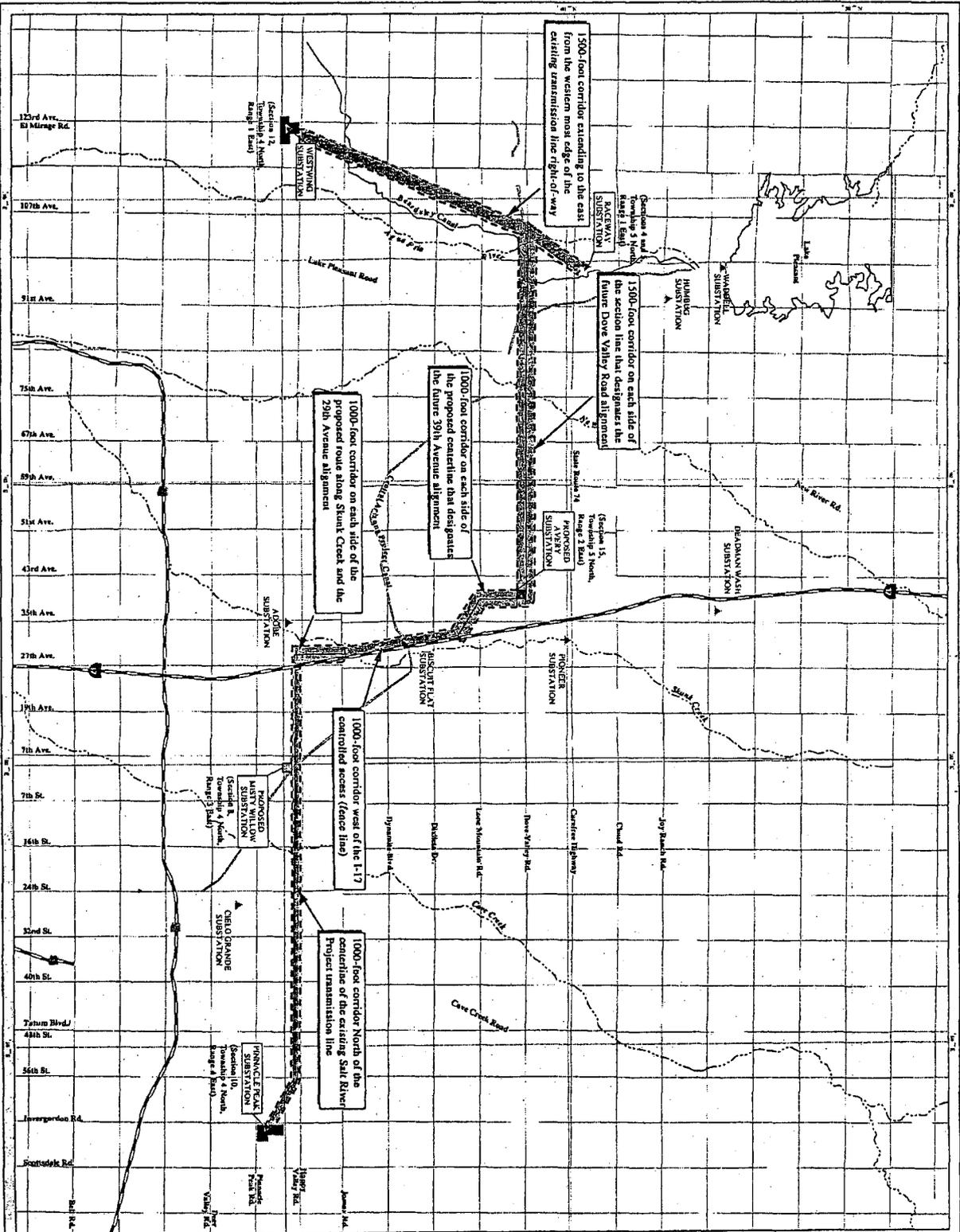
15 [Signature]
16 Commissioner

17 In Witness Hereof, I, Brian C. McNeil, Executive Secretary of the Arizona
18 Corporation Commission, set my hand and cause the official seal of this Commission
19 to be affixed, this 18th day of June, 2003.

20 By: [Signature]
21 James G. Jayne
22 Interim Executive Secretary

23 Dissent: _____

24 237239/cg



North Valley Project Route and Corridor Description



- Proposed Route Corridor
- Proposed Substation Siting Area

- ### General Reference Features
- Interstate/Highway
 - Section Line
 - Lake
 - Stream/River
 - Canal
 - ▲ / ■ Existing Substation



Scale 1:62,500

0 100 200 300 400 500 600 700 800 900 1000 FEET

0 100 200 300 400 500 600 700 800 900 1000 METERS

North

APS

APR

DECISION NO. 65997

EXHIBIT B

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

FEB 26 2007

1
2 Jeff Hatch-Miller, Chairman
3 William A. Mundell
4 Mike Gleason
5 Kristin K. Mayes
6 Gary Pierce

Arizona Corporation Commission
DOCKETED

FEB 20 2007

DOCKETED BY NR

7
8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA PUBLIC SERVICE COMPANY IN
10 CONFORMANCE WITH THE REQUIREMENTS
11 OF ARIZONA REVISED STATUTES SECTION
12 40-360, *et seq.*, FOR A CERTIFICATE OF
13 ENVIRONMENTAL COMPATIBILITY
14 AUTHORIZING THE TS-9 TO PINNACLE
15 PEAK 500Kv/230Kv TRANSMISSION LINE
16 PROJECT WHICH INCLUDES A 500Kv/
17 TRANSMISSION LINE, A 230Kv
18 TRANSMISSION LINE AND ASSOCIATED
19 FACILITIES AND INTER-CONNECTION
20 ORIGINATING FROM THE PROPOSED TS-9
21 SUBSTATION LOCATED SOUTH OF SR74 IN
22 PEORIA, AT SECTION 33, TOWNSHIP 6
23 NORTH, RANGE 1 EAST, G&SRB&M, TO THE
24 EXISTING PINNACLE PEAKE SUBSTATION
25 LOCATED NEAR 64TH STREET AND
26 PINNACLE PEAK ROAD IN PHOENIX, AT
27 SECTION 10, TOWNSHIP 4 NORTH, RANGE 4
28 EAST, G&SRB&M.

DOCKET NO. L-00000D-06-0635-00131

CASE NO. 131

DECISION NO. 69343

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

25 The Commission modifies the CEC by deleting condition 12 and substituting a new condition
26 12 as follows:

27 12. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical site or
28 object that is at least fifty years old is discovered on state, county or municipal land during plan-

1 related activities, the person in charge shall promptly report the discovery to the Director of the
2 Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable
3 steps to secure and maintain the preservation of the discovery. If human remains and/or funerary
4 objects are encountered on private land during the course of any ground-disturbing activities relating
5 to the development of the subject property, Applicant shall cease work on the affected area of the
6 Project and notify the Director of the Arizona State Museum pursuant to A.R.S. § 41-865.

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1 The Commission further finds and concludes that: (1) the Project is in the public interest
2 because it aids the state in meeting the need for an adequate, economical and reliable supply of
3 electric power; (2) in balancing the need for the Project with its effect on the environment and
4 ecology of the state, the conditions placed on the CEC by the Committee as modified by the
5 Commission effectively minimize its impact on the environment and ecology of the state; (3) the
6 conditions placed on the CEC by the Committee as modified by the Commission resolve matters
7 concerning the need for the Project and its impact on the environment and ecology of the state raised
8 during the course of proceedings, and as such, serve as the findings on the matters raised; and (4) in
9 light of these conditions, the balancing in the broad public interest results in favor of granting the
10 CEC as modified by the Commission.

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

14 
15 CHAIRMAN

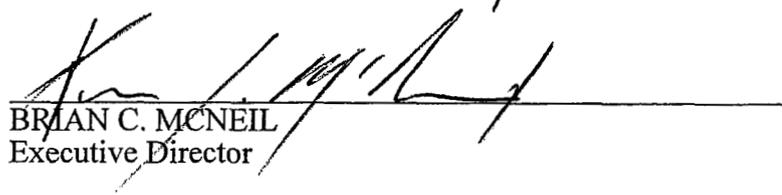

COMMISSIONER

16
17 
18 COMMISSIONER


COMMISSIONER


COMMISSIONER

19 IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive
20 Director of the Arizona Corporation Commission, have
21 hereunto, set my hand and caused the official seal of this
22 Commission to be affixed at the Capital, in the City of Phoenix,
23 this 20th day of February, 2007.

24 
25 BRIAN C. MCNEIL
26 Executive Director

27 DISSENT: _____

28 DISSENT: _____

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

3
4 IN THE MATTER OF THE APPLICATION)
5 OF ARIZONA PUBLIC SERVICE)
6 COMPANY IN CONFORMANCE WITH)
7 THE REQUIREMENTS OF ARIZONA)
8 REVISED STATUTES SECTION 40-360,)
9 *et seq.*, FOR A CERTIFICATE OF)
10 ENVIRONMENTAL COMPATIBILITY)
11 AUTHORIZING THE TS-9 TO PINNACLE)
12 PEAK 500kV/230kV TRANSMISSION LINE)
13 PROJECT WHICH INCLUDES A 500kV)
14 TRANSMISSION LINE, A 230kV)
15 TRANSMISSION LINE AND)
16 ASSOCIATED FACILITIES AND INTER-)
17 CONNECTIONS ORIGINATING FROM)
18 THE PROPOSED TS-9 SUBSTATION)
19 LOCATED SOUTH OF SR74 IN PEORIA,)
20 AT SECTION 33, TOWNSHIP 6 NORTH,)
21 RANGE 1 EAST, G&SRB&M, TO THE)
22 EXISTING PINNACLE PEAK)
23 SUBSTATION LOCATED NEAR 64TH)
24 STREET AND PINNACLE PEAK ROAD)
25 IN PHOENIX, AT SECTION 10,)
26 TOWNSHIP 4 NORTH, RANGE 4 EAST,)
G&SRB&M.

Docket No. L-00000D-06-0635-00131

Case No. 131

18 **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

19 Pursuant to notice given as provided by law, the Arizona Power Plant and
20 Transmission Line Siting Committee (the "Committee") held public hearings on
21 November 27 and 28, and December 11 and 12, 2006, all in conformance with the
22 requirements of Arizona Revised Statutes ("A.R.S.") § 40-360, *et seq.*, for the purpose of
23 receiving evidence and deliberating on the Application of Arizona Public Service
24 Company ("Applicant") for a Certificate of Environmental Compatibility ("Certificate") in
25 the above-captioned case (the "Project").
26

DECISION NO. 69343

1 The following members and designees of members of the Committee were present
2 at one or more of the hearings for the evidentiary presentations and/or for the
3 deliberations:

4 Laurie Woodall Chairman, Designee for Arizona Attorney General,
5 Terry Goddard

6 David L. Eberhart, P.E. Designee for Chairman, Arizona Corporation
7 Commission

8 Ed Ranger Designee for Director, Arizona Department of
9 Environmental Quality

10 Jim Arwood Designee for Director, Energy Department, Arizona
11 Department of Commerce

12 Jeff McGuire Appointed Member

13 Michael Palmer Appointed Member

14 Joy Rich Appointed Member

15 A. Wayne Smith Appointed Member

16 Michael Whalen Appointed Member

17 The Applicant was represented by Thomas H. Campbell and Albert H. Acken of
18 Lewis and Roca LLP, and Karilee S. Ramaley of Pinnacle West Capital Corporation. The
19 following parties were granted intervention pursuant to A.R.S. § 40-360.05: Commission
20 Staff, represented by Charles Hains and Robin R. Mitchell; United Services Automobile
21 Association, represented by C. Webb Crockett of Fennemore Craig, P.C.; Pulte Homes,
22 represented by Michele Molinaro of Ridenour, Hinton, Kelhoffer, Lewis & Garth,
23 P.L.L.C.; Trammel Crow Residential, represented by William E. Lally of Withey,
24 Anderson & Morris, P.L.C.; and TAG Land Pinnacle LLC, represented by Robert N.
25 Pizorno of Beus, Gilbert, PLLC.

26 At the conclusion of the hearings, the Committee, having received the Application,
the appearances of the parties, the evidence, testimony and exhibits presented at the

1 hearings, and being advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13,
2 upon motion duly made and seconded, voted, 7 in favor, 2 opposed, to grant the Applicant
3 the following Certificate of Environmental Compatibility (Case No. 131):

4 The Project route is similar to the route that was approved in Docket L-00000D-02-
5 0120 (North Valley 230kV Facility Siting Project) (Case No. 120, Decision No. 65997).

6 The Project is a double-circuit transmission line with one 500 kV circuit and one
7 230 kV circuit and two substations. In addition, 230 kV double-circuit transmission lines
8 will be used to tie into previously certificated substations. The Project route (depicted on
9 **Exhibit A** attached hereto) will originate at the proposed TS-9 Substation in Section 33,
10 Township 6 North, Range 1 East parallel to the existing Navajo 500kV Transmission Line
11 Corridor ("Navajo Corridor") (State Land ROW No. 14-26216), following the Navajo
12 Corridor southwest to the Dove Valley Road alignment in a 1,500 foot wide corridor
13 measured to the east from the westernmost edge of the existing Navajo Corridor right-of-
14 way.

15 The route then turns east and follows the Dove Valley Road alignment east to the
16 39th Avenue alignment adjacent to the future Avery Substation, approved in Case L-
17 00000D-02-0120, located in Section 15, Township 6 North, Range 2 East in a 3,000 foot
18 corridor (1,500 feet north and 1,500 feet south) centered on the section line designating the
19 Dove Valley Road alignment.

20 From that point the route turns south following the 39th Avenue alignment south for
21 one mile to the Lone Mountain Road alignment in a 2,000 foot wide corridor (1,000 feet
22 east and 1,000 feet west) centered on the mid-section line designating 39th Avenue.

23 The route then turns southeast crossing Sections 22 and 23, Township 5 North,
24 Range 2 East on a southeasterly diagonal to meet Interstate 17 at a point designated as
25 Latitude 33.7, Longitude -112.13 in a 2,000 foot corridor (1,000 feet each side) centered
26

1 on the alignment between the intersection of 39th Avenue and Lone Mountain Road and
2 Latitude 33.7, Longitude -112.13.

3 From that point the route follows the west side of Interstate 17 south to Oberlin
4 Way in a 500 foot corridor west of the existing Arizona Department of Transportation
5 (“ADOT”) right-of-way.

6 The route continues south along the west side of Interstate 17 from Oberlin Way to
7 the existing 230kV power line corridor (“WW-PP Corridor”) (which includes fee-owned
8 lands, private easements, and State Land ROW No. 16-4298) located approximately ¼
9 mile south of Happy Valley Road in a 1,000 foot corridor west of the existing ADOT
10 right-of-way.

11 From that point the route then turns east within the WW-PP Corridor along the
12 north side of the existing 230kV double-circuit power line to Central Avenue within a 175
13 foot corridor north of the centerline of the existing 230kV double-circuit structures.

14 At Central Avenue, the 230kV circuit turns south to form an in and out
15 interconnection with the Misty Willow Substation, approved in Case L-00000D-02-0120,
16 located in Section 8, Township 4 North, Range 3 East within a 1,000 foot corridor (500
17 feet east and 500 feet west) along the centerline of Central Avenue.

18 Both circuits (500kV/230kV) then continue east within the existing WW-PP
19 Corridor along the north side of the northernmost existing 230kV power line to 56th Street
20 within a 175 foot corridor north of the existing 230kV structures.

21 The route continues east within the existing WW-PP Corridor along the north side
22 of the northernmost existing 230kV power line to its termination at the Pinnacle Peak
23 Substation located in Section 10, Township 4 North, Range 4 East within a 1,500 foot
24 corridor north of the centerline of the northernmost existing 230kV structures.

1 The Project shall be constructed on double-circuit monopoles. Conceptual models
2 of the monopoles are depicted in Exhibits G-1 through G-4 of the application, attached
3 hereto as **Exhibit B**.

4 This Certificate is granted upon the following conditions:

- 5 1. The Applicant shall obtain all required approvals and permits necessary to
6 construct the Project.
 - 7 2. The Applicant shall comply with all existing applicable ordinances, master
8 plans and regulations of the State of Arizona, the County of Maricopa, the
9 United States, and any other governmental entities having jurisdiction.
 - 10 3. This authorization to construct the Project shall expire ten years from the
11 date the Certificate is approved by the Arizona Corporation Commission (the
12 "Commission").
 - 13 4. The Applicant shall make every reasonable effort to identify and correct, on
14 a case-specific basis, all complaints of interference with radio or television
15 signals from operation of the transmission line and related facilities
16 addressed in this Certificate. The Applicant shall maintain written records
17 for a period of five years of all complaints of radio or television interference
18 attributable to operation, together with the corrective action taken in
19 response to each complaint. All complaints shall be recorded to include
20 notations on the corrective action taken. Complaints not leading to a
21 specific action of for which there was no resolution shall be noted and
22 explained.
 - 23 5. The Project shall comply with applicable noise standards of the federal
24 Department of Housing and Urban Development and the Environmental
25 Protection Agency.
- 26

- 1 6. If all Register-eligible properties cannot be avoided, then the Applicant will
2 continue to consult with the State Historic Preservation Office (“SHPO”) to
3 resolve the negative impacts.
- 4 7. The Applicant shall avoid and/or minimize impacts to properties considered
5 eligible for inclusion in the State Register of Historic Places to the extent
6 possible.
- 7 8. If the Applicant decides that historic-period structures Beardsley Canal and
8 Black Canyon Road and archaeological Sites AZ T:3:361, 362, 363 and 364,
9 AZ T:7:192 and AZ T:8:157, AZ T:3:1 (MNA), and AZ T:3:2 (MNA)
10 cannot be avoided, then the Applicant will plan and implement a mitigation
11 program in consultation with SHPO.
- 12 9. After construction, the Applicant, in conjunction with any applicable land
13 managing agency, shall allow Arizona Site Stewards, a volunteer-staffed
14 SHPO program, to periodically inspect the sites within the corridor for
15 vandalism or other damage.
- 16 10. In consultation with SHPO and the land-managing agency, the Applicant
17 will consider and assess potential direct and indirect impacts to eligible
18 properties related to new access roads or any existing access roads that
19 require blading.
- 20 11. The Applicant shall follow any instructions from the Arizona State Land
21 Department (“ASLD”) regarding the treatment of State Register of Historic
22 Places-eligible properties situated on ASLD land in consultation with SHPO.
- 23 12. If human remains and/or funerary objects are encountered during the course
24 of any ground disturbing activities relating to the development of the subject
25 property, Applicant shall cease work on the affected area of the Project and
26

1 notify the Director of the Arizona State Museum in accordance with A.R.S.
2 § 41-865.

3 13. The Applicant shall design the transmission lines so as to minimize impacts
4 to raptors.

5 14. Where practicable, the Applicant shall use existing roads for construction
6 and access. The Applicant shall minimize vegetation disturbance outside of
7 the Project right-of-way, particularly in drainage channels and along stream
8 banks, and shall re-vegetate or restore areas of construction disturbance
9 outside of the Project right-of-way after construction has been completed.

10 15. The Applicant shall use non-specular conductor and dulled surfaces for
11 transmission line structures.

12 16. Within 120 days of the Commission decision granting this Certificate,
13 Applicant will post signs in public rights-of-way giving notice of the Project
14 corridor. Within 45 days of securing easement or right-of-way for the
15 Project, the Applicant shall erect and maintain signs providing public notice
16 that the property is the site of a future transmission line. Such signage shall
17 be no smaller than a normal roadway sign. The Applicant shall place signs
18 in prominent locations at reasonable intervals such that the public is notified
19 along the full length of the transmission line until the transmission structures
20 are constructed. There must also be signs at the location of the proposed
21 substations. The signs shall advise:

22 (a) That the site has been approved for the construction of Project
23 facilities including 500/230kV transmission lines or substation, as
24 applicable to the individual site;

25 (b) The expected date of completion of the Project facilities;

26 (c) A phone number for public information regarding the Project;

- (d) The name of the Project;
- (e) The name of the Applicant; and
- (f) The Applicant's website.

Sign placement will be reported annually in accordance with Condition 22.

17. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to directly notify all landowners and residents within a one-half mile of the Project corridor for which the extension is sought. Such landowners and residents shall be notified of the time and place of the proceeding in which the Commission shall consider such request for extension.

18. Before construction on this Project may commence, the Applicant must file a construction mitigation and restoration plan with Docket Control with copies to the affected areas of jurisdiction. The Applicant shall, within one year of completion of construction of the Project, rehabilitate to its original state any area disturbed by construction of the Project, except for any road that may be necessary to access the transmission lines or substation sites for maintenance and repair.

The goals of the Plan will be to:

- (a) Avoid impacts where practical;
- (b) Where impacts are unavoidable, minimize impacts; and
- (c) Focus on site preparation to facilitate natural processes of revegetation.

Other key elements of the Plan, when not inconsistent with the respective land management agencies' or local owners' requirements, are to:

- (a) Emphasize final site preparation to encourage natural revegetation;

- (b) Avoid (e.g., preserve), where practical, mature native trees;
- (c) Stipulate a maximum construction corridor width;
- (d) Reserve native plant materials from right-of-way before grading and replant after construction is complete;
- (e) Imprint the restored right-of-way to provide indentations to catch seed and water;
- (f) Implement best management practices to protect the soil;
- (g) Apply restoration methods that have been shown to work in the desert environment; and
- (h) Prevent the spread of noxious weeds or other undesirable species.

19. Applicant shall retain a qualified biologist to monitor all ground clearing/disturbing construction activities that may affect sensitive species or habitat. The biological monitor will be responsible for ensuring proper actions are taken if a special status species is encountered. If Sonoran desert tortoises are encountered during construction, the Applicant shall follow the Arizona Game & Fish Department's ("AGFD's") Guidelines for Handling Sonoran Desert Tortoises.

20. Applicant shall salvage mesquite, ironwood, saguaro and palo verde trees removed during Project construction activities consistent with Arizona's Native Plant Law and use the vegetation for reclamation in or near its original location.

21. Applicant shall implement landscaping for the substation sites in accordance with the applicable municipal planning and zoning requirements.

22. The Applicant shall submit a self-certification letter annually, identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. Each letter shall be submitted to

1 the Utilities Division Director on December 1 beginning in 2007. Attached
2 to each certification letter shall be documentation explaining how
3 compliance with each condition was achieved. Copies of each letter along
4 with the corresponding documentation shall be submitted to the Arizona
5 Attorney General and Department of Commerce Energy Office. The
6 requirement for the self-certification shall expire on the date the Project is
7 placed into operation.

8 23. With respect to the Project, Applicant shall participate in good faith in state
9 and regional transmission study forums and will continue its coordination
10 with both Salt River Project and Western Area Power Administration to
11 coordinate transmission expansion plans related to the Project and to resolve
12 transmission constraints in a timely manner.

13 24. Applicant shall coordinate construction through the Happy Valley Towne
14 Center with the property owners to minimize impact on the retail operation
15 of the Center.

16 25. The Applicant shall provide copies of this Certificate to the City of Phoenix
17 and City of Peoria planning agencies, mayors, and city councils, the
18 Maricopa County Planning and Development Department, the Maricopa
19 County Board of Supervisors, SHPO, AGFD, ADOT, and ASLD.

20 26. Before commencing construction of Project facilities located within 100 feet
21 of any existing natural gas or hazardous liquid pipeline, the Applicant shall:

- 22 (a) perform the appropriate grounding and cathodic protection studies to
23 show that the Project's location within 100 feet of such pipeline
24 results in no material adverse impacts to the natural gas or hazardous
25 liquid pipeline or to public safety when both are in operation. A
26 report of studies shall be provided to the Commission Staff as part of

1 Applicant's compliance with the Certificate. If material adverse
2 impacts are noted in the studies, Applicant shall take appropriate steps
3 to ensure that such material adverse impacts are eliminated.

4 Applicant shall provide to the Commission Staff written
5 documentation of the actions that will be taken and documentation
6 showing no material adverse impact will occur; and

- 7 (b) perform a technical study simulating an outage of the facility that may
8 be caused by the collocation of the Project within 100 feet of the
9 existing natural gas or hazardous liquid pipeline. This study should
10 either: i) show that such outage does not result in customer outages;
11 or ii) include operating plans to minimize any resulting customer
12 outages. Applicant shall provide a copy of this study to Commission
13 Staff.

14 27. Prior to the date this transmission line is put into commercial service, the
15 Applicant shall provide homebuilders and developers within one mile of the
16 center line of the certificate route the identity, location, and a pictorial
17 depiction of the type of power line being constructed, accompanied by a
18 written description, and encourage the developers and homebuilders to
19 include this information in the developers' and homebuilders' homeowners'
20 disclosure statements.

21 28. Applicant shall use commercially reasonable efforts to work with Pinnacle
22 Cemeteries to mitigate visual impacts at the Pinnacle Cemeteries from the
23 Project.

24 29. Within 90 days of the final Commission decision granting this Certificate,
25 Applicant shall file an A.R.S. § 40-252 application for approval of
26 modification(s) to Commission Decision No. 65997, which granted the

1 Certificate in Case 120, to reflect the grant of this Certificate. Specifically,
2 Applicant will request that the following condition be added to Decision No.
3 65997: "Applicant shall not build that portion of the Project approved in this
4 case located between: (a) the intersection of the section line that designates
5 the Dove Valley Road alignment and the existing Navajo -
6 Westwing 500/230 kV corridor; and (b) the Pinnacle Peak substation.
7 Applicant retains the authorization to construct the Avery and Misty Willow
8 substations (Decision No. 65997, Case 120, pages 3:15-17 and 4:9-11) and
9 also that portion of the double-circuit 230 kV transmission line between
10 Westwing and Raceway substations (Decision No. 65997, Case 120, page
11 3:5-13), as described, noticed and certificated in this Case 120. Further,
12 Condition 23 of the Certificate in Decision 65997, Case 120, is no longer
13 applicable."

14 30. Applicant shall make a good faith effort to work with affected municipalities
15 and land management agencies to encourage future development to move
16 major arterials away from major transmission corridors.

17 31. Applicant shall work in good faith with the City of Peoria, ADOT, and
18 ASLD regarding the final right-of-way on that portion of the route along the
19 Dove Valley Road alignment.

20 GRANTED this 29 day of December 2006.

21
22 THE ARIZONA POWER PLANT AND
23 TRANSMISSION LINE SITING COMMITTEE

24 *Laurie A Woodall* 2/6/07
25 Laurie A. Woodall, Chairman
26 Assistant Attorney General

EXHIBIT A

Lake Pleasant

TS-9 SUBSTATION
130 acres in Section 33,
Township 6 North,
Range 1 East

1,500' east from the
westernmost edge
of the existing
Right-of-Way
From TS-9 to the Dove
Valley Road alignment

3,000' (1,500' north & 1,500' south) centered
on the section line designating
the Dove Valley Road alignment from
the Navajo 500kV Transmission Line Corridor
to the 39th Ave. alignment

AVERY SUBSTATION
Approximately 1/2 mile west of I-17 in Section 15,
Township 5 North, Range 2 East.

2,000' (1,000' east & west) centered on
the mid-section line designating 39th Ave.

500' west of existing
ADOT Right-of-Way from south of
Lat. 33.7, Long. -112.13 to Oberlin Way

1,000' west of existing
ADOT Right-of-Way from Oberlin Way
to 1/4 mile south of Happy Valley Rd.

1,000' (500' east & west) along
the centerline of Central Ave. from
the existing 230kV structures to
the Misty Willow Substation
(230 KV Circuit Only)

MISTY WILLOW SUBSTATION
Located south of the existing
transmission line corridor and
west of the CAP canal in Section 8,
Township 4 North, Range 3 East.

175' north of the centerline of the
existing 230kV structures from
29th Ave. to 56th St.

PINNACLE PEAK
SUBSTATION EXPANSION
Section 10, Township 4 North,
Range 4 East

1,500' north of the centerline
of the existing 230kV structures
from 56th St. to the line termination
at the Pinnacle Peak Substation
located in Section 10, Township 4 North,
Range 4 East

- Proposed Corridor
- Proposed Substation
- Substation Site
- Approved in Case # L-00000D-02-0120
- Segment Node
- Existing Substation
- Interstate Highway
- State Highway
- Canal

TS-9 TO PINNACLE PEAK 500/230KV TRANSMISSION PROJECT

EXHIBIT A

69343

DECISION NO.

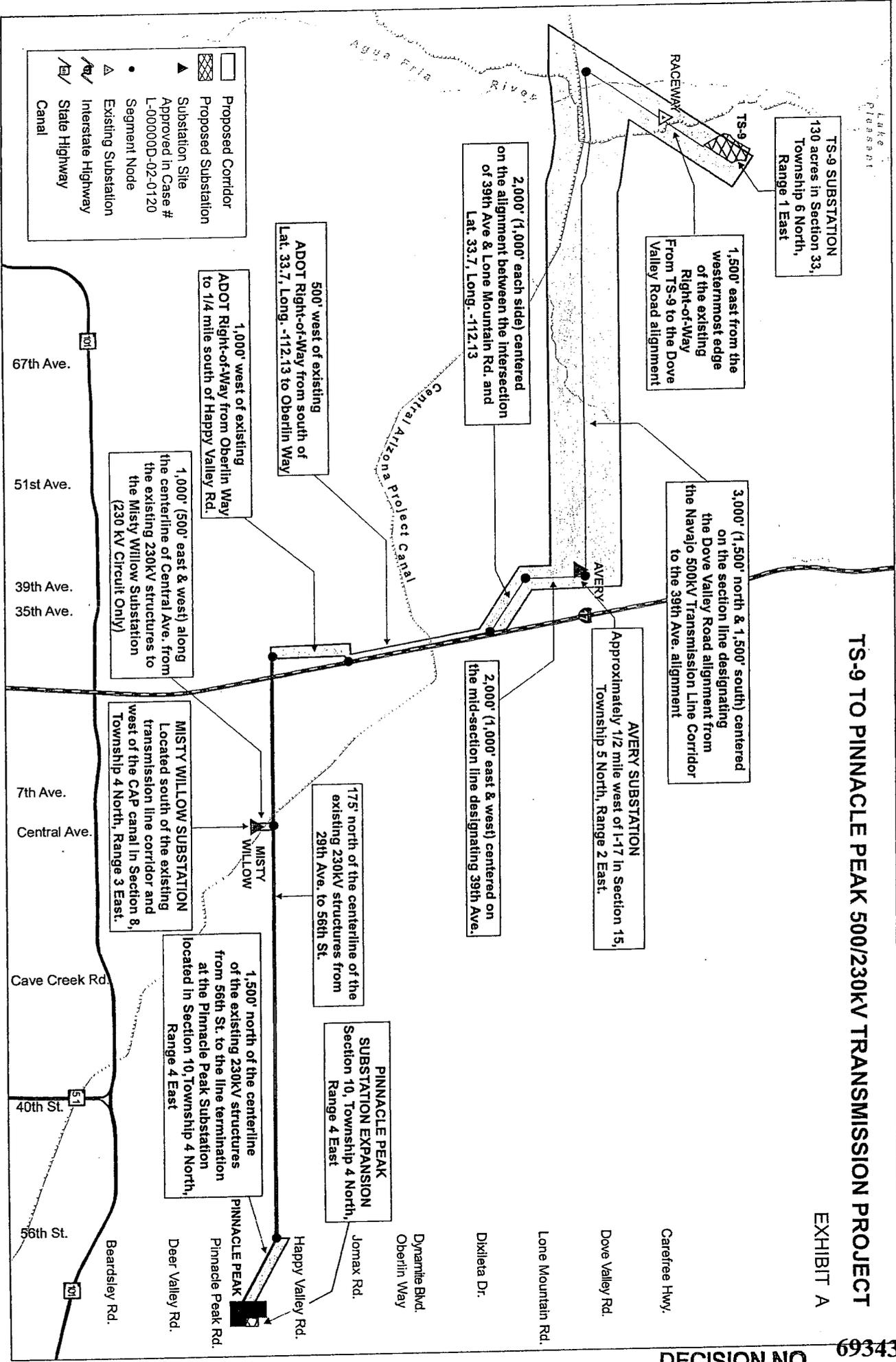
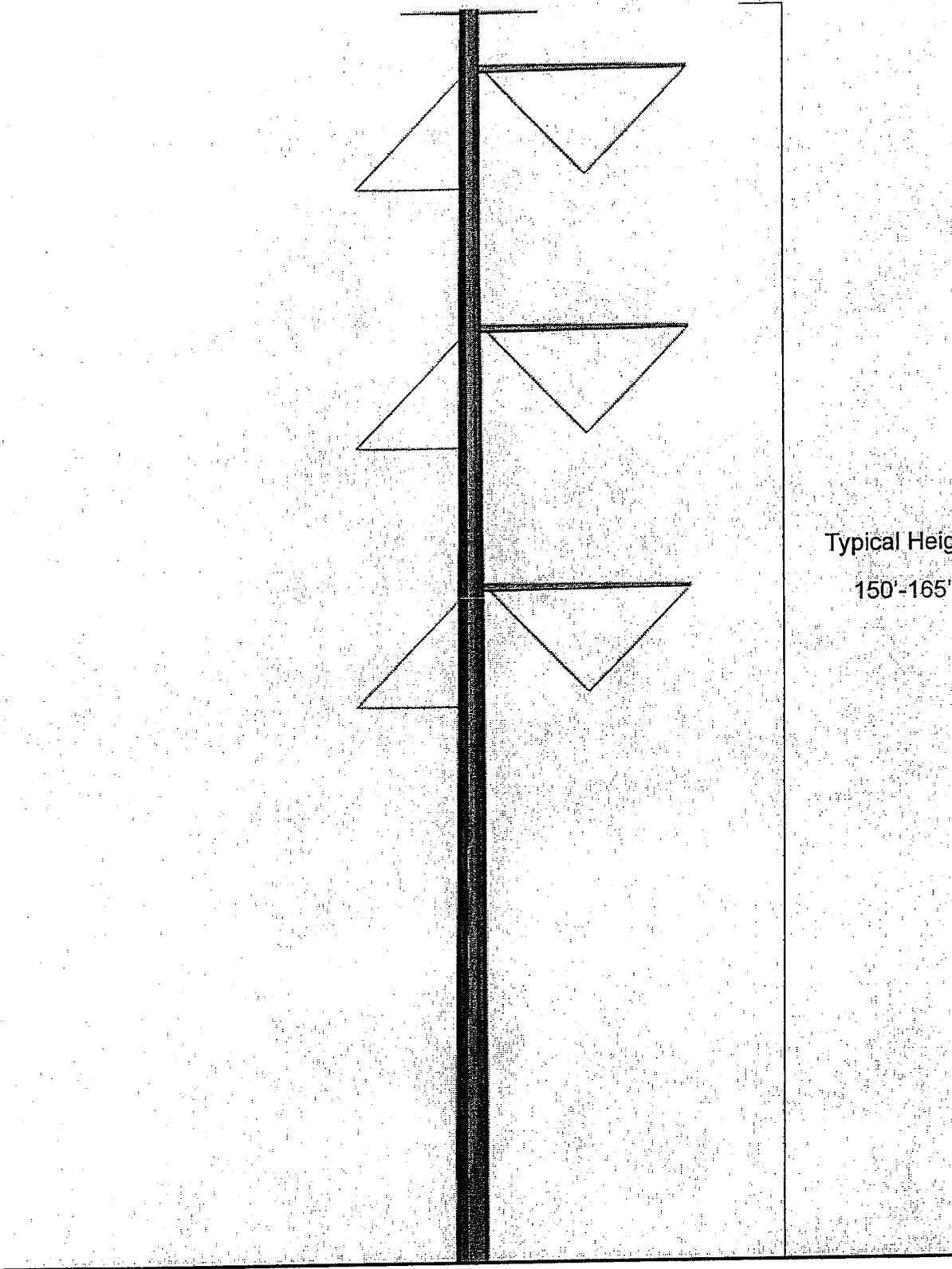


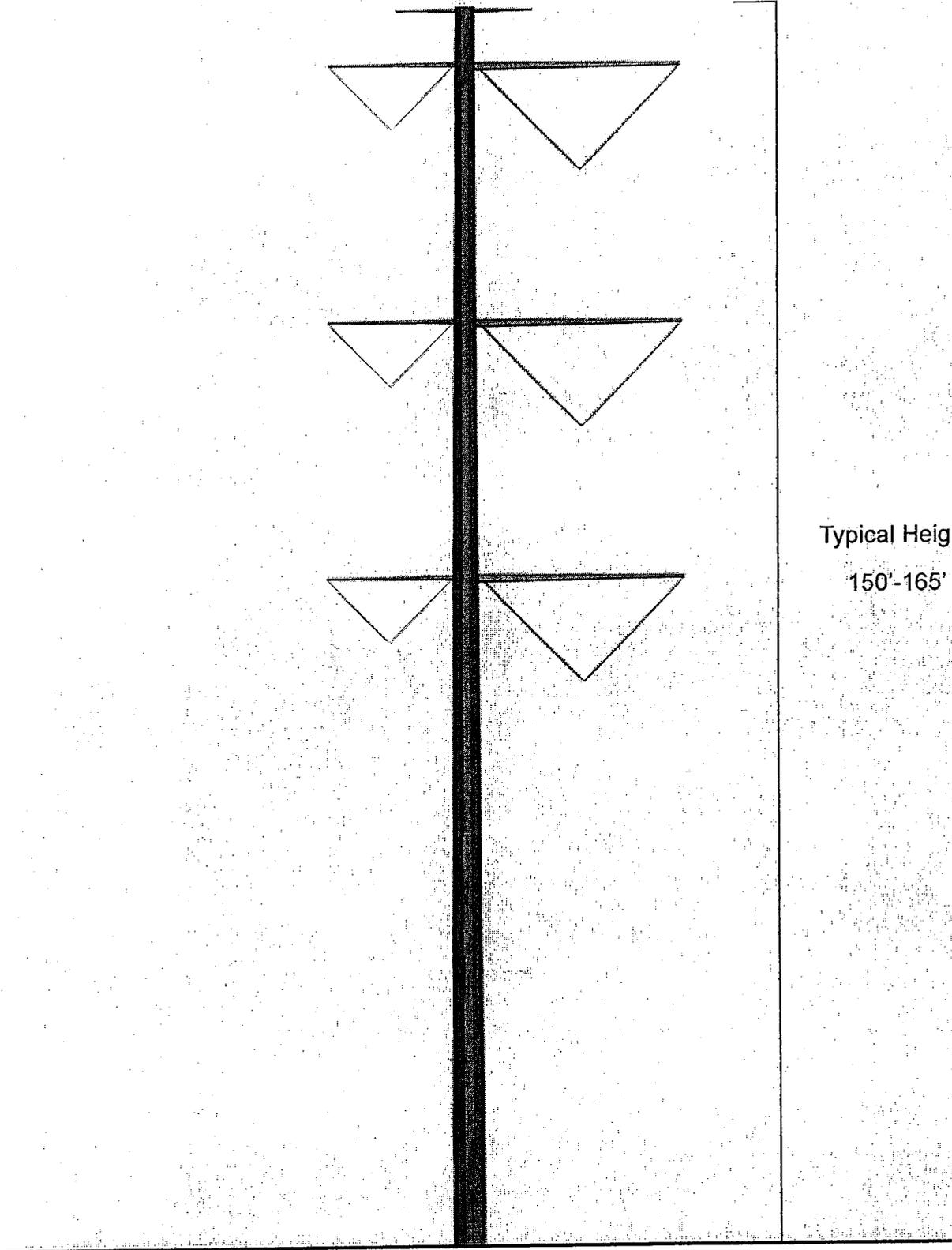
EXHIBIT B



Typical Height
150'-165'

EXHIBIT G-1
Conceptual 500/230kV Steel Monopole Structure
(Design Configuration #1)

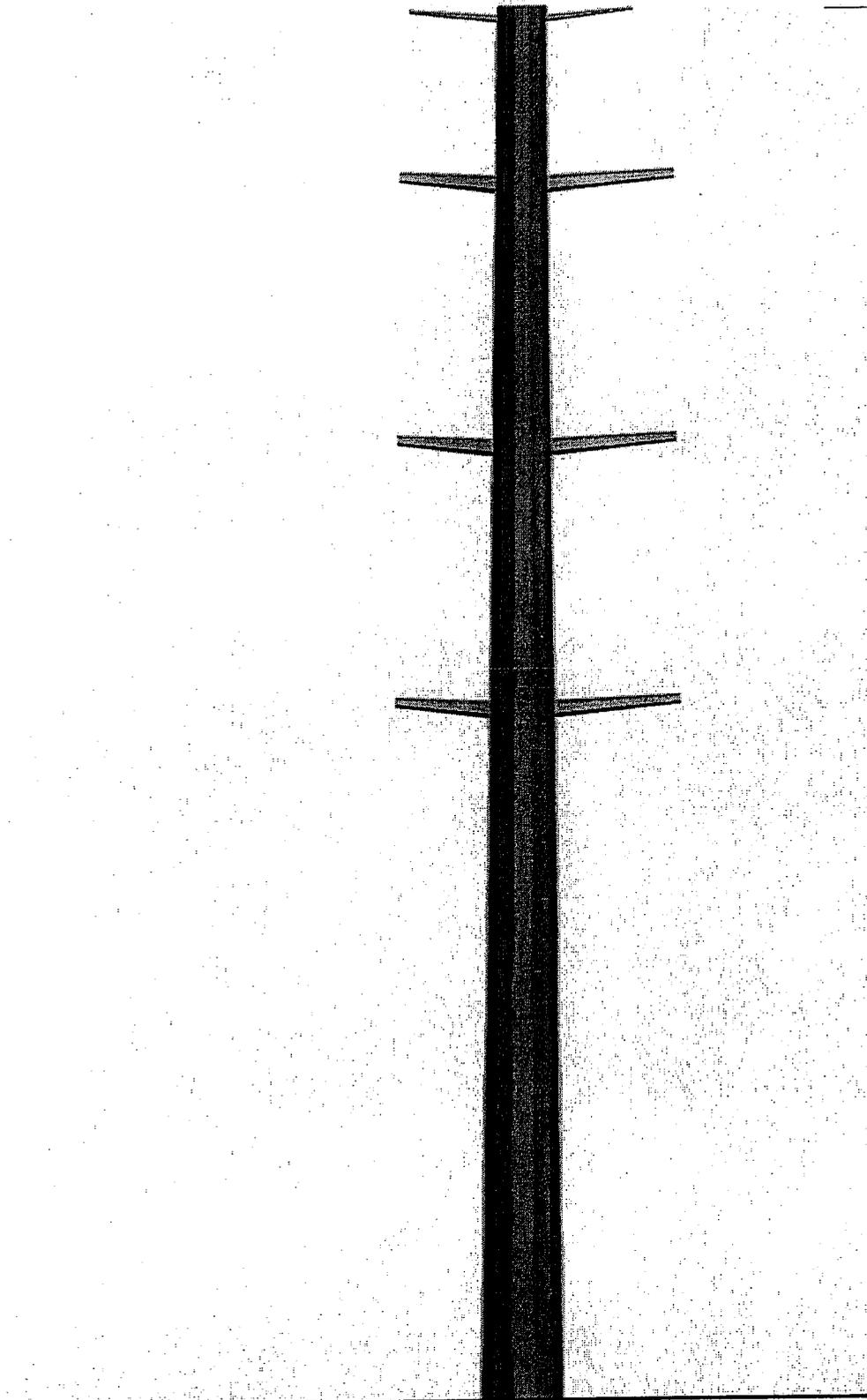
DECISION NO. 69343



Typical Height
150'-165'

EXHIBIT G-2
Conceptual 500/230kV Steel Monopole Structure
(Design Configuration #2)

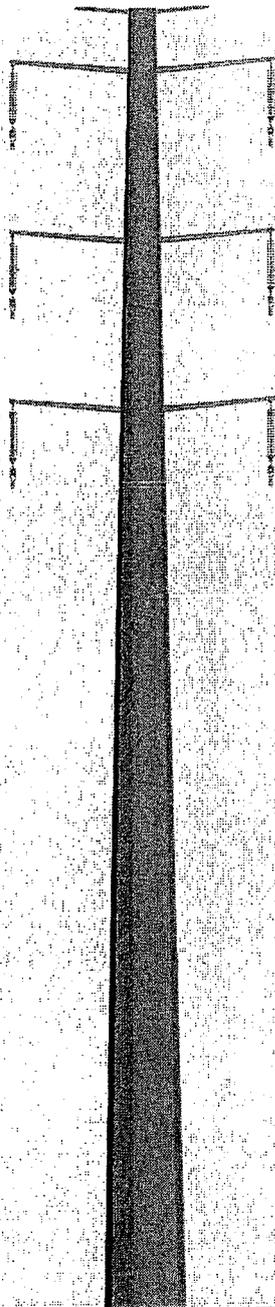
DECISION NO. 69343



Typical Height
150'-165'

EXHIBIT G-3
Conceptual 500/230kV Steel Monopole Turning Structure

DECISION NO. 69343



Typical Height
125'

EXHIBIT G-4
Conceptual 230kV Double-Circuit Structure

DECISION NO. 69343

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

4 IN THE MATTER OF THE APPLICATION)
5 OF ARIZONA PUBLIC SERVICE)
6 COMPANY IN CONFORMANCE WITH)
7 THE REQUIREMENTS OF ARIZONA)
8 REVISED STATUTES SECTION 40-360,)
9 *et seq.*, FOR A CERTIFICATE OF)
10 ENVIRONMENTAL COMPATIBILITY)
11 AUTHORIZING THE TS-9 TO PINNACLE)
12 PEAK 500kV/230kV TRANSMISSION LINE)
13 PROJECT WHICH INCLUDES A 500kV)
14 TRANSMISSION LINE, A 230kV)
15 TRANSMISSION LINE AND)
16 ASSOCIATED FACILITIES AND INTER-)
17 CONNECTIONS ORIGINATING FROM)
18 THE PROPOSED TS-9 SUBSTATION)
19 LOCATED SOUTH OF SR74 IN PEORIA,)
20 AT SECTION 33, TOWNSHIP 6 NORTH,)
21 RANGE 1 EAST, G&SRB&M, TO THE)
22 EXISTING PINNACLE PEAK)
23 SUBSTATION LOCATED NEAR 64TH)
24 STREET AND PINNACLE PEAK ROAD)
25 IN PHOENIX, AT SECTION 10,)
26 TOWNSHIP 4 NORTH, RANGE 4 EAST,)
G&SRB&M.

Docket No. L-00000D-06-0635-00131

Case No. 131

**NOTICE OF FILING
CERTIFICATE OF
ENVIRONMENTAL
COMPATIBILITY
NUNC PRO TUNC**

AZ CORP COMMISSION
DOCUMENT CONTROL

2007 FEB - 7 A 9:47

RECEIVED

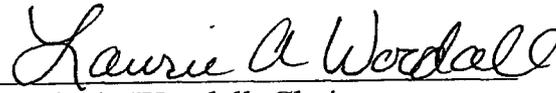
18 The Arizona Power Plant and Transmission Line Siting Committee hereby gives
19 Notice of Filing Nunc pro Tunc its Decision and Certificate of Environmental
20 Compatibility, for approval by the Arizona Corporation Commission. A copy of the
21 Decision is attached, correcting typographical errors:

- 22 1. Correcting Docket Number;
- 23 2. Correcting spelling errors – ‘northermost,’ to ‘northernmost,’ and
- 24 3. Correcting ‘impractical,’ on para. 18(a), pg. 8, to ‘practical.’

25 All other terms of the CEC are identical to that originally filed on December 29,
26 2006, including the date the Certificate was granted.

DECISION NO. 69343

1 DATED, this 6th day of February, 2007.

2
3 

4 Laurie A. Woodall, Chairman
5 Arizona Power Plant & Transmission
6 Line Siting Committee

7 ORIGINAL DECISION hand-delivered
8 to the Commissioners' Division, and
9 the Original and 25 copies of this
10 Notice filed this 6th day of February, 2007, with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, AZ 85007

15 COPIES of the foregoing
16 mailed this 6th day of February, 2007, to:

17 Charles Hains
18 Robin Mitchell
19 Maureen Scott
20 Legal Division
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix AZ 85007
24 (Attorney for Staff of Utilities Division of ACC)

25 Ernest G. Johnson, Director
26 Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Thomas H. Campbell, Esq.
Lewis and Roca, LLP
Two Renaissance Square
40 North Central Avenue
Phoenix AZ 85004-4429
Attorney for Applicant

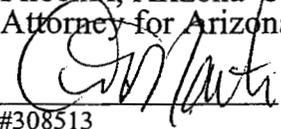
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- 4 Attorney for United Services Auto Assoc.

- 5 William E. Lally, Esq.
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- 8 Michele Molinaro, Esq.
Ridenour Hienton, et. Al
- 9 201 North Central Avenue, Suite 3300
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- 10 Attorney for Pulte Homes

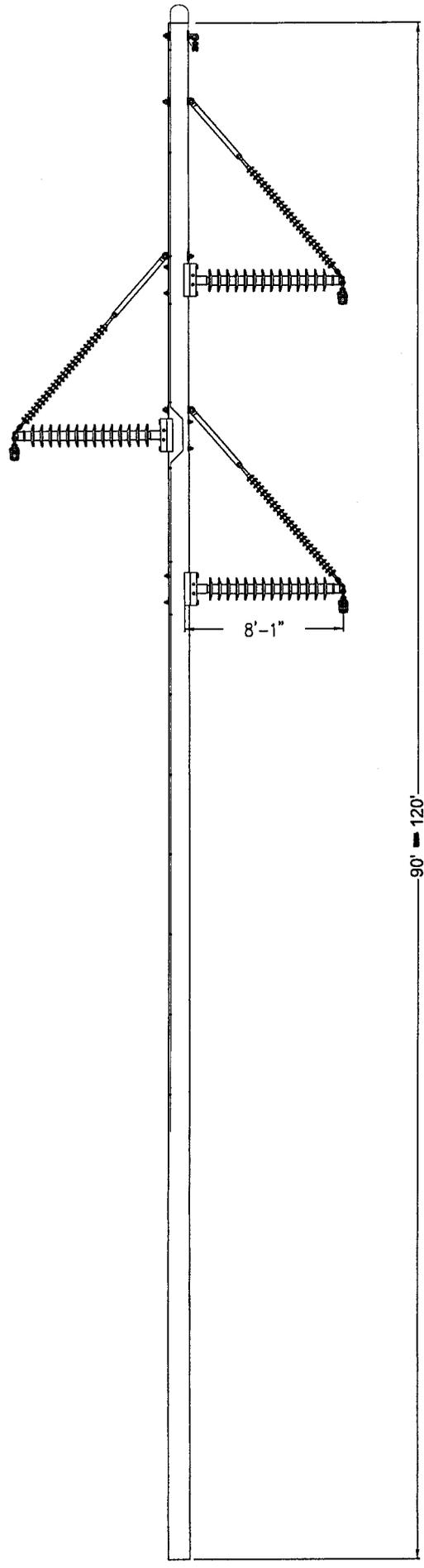
- 11 Robert N. Pizorno, Esq.
Britton M. Worthen, Esq.
- 12 Beus Gilbert PLLC
- 13 4800 North Scottsdale Road, Suite 6000
Scottsdale, Arizona 85251-7630
- 14 Attorney for TAG Land Pinnacle LLC

- 15 Karilee S. Ramaley, Esq.
Pinnacle West Capital Corp.
- 16 400 North 5th Street
P.O. Box 53999 MS 8695
Phoenix, Arizona 85072-3999
- 17 Attorney for Arizona Public Service Co.


#308513

- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

EXHIBIT C



8'-1"

90' - 120'