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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2007 APR 20 A 11: 05

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
SOUTHERN CALIFORNIA EDISON COMPANY
AND ITS ASSIGNEES IN CONFORMANCE
WITH THE REQUIREMENTS OF ARIZONA
REVISED STATUES SECTIONS 40-360.03 AND
40-360.06 FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF A 500KV
ALTERNATING CURRENT TRANSMISSION
LINE AND RELATED FACILITIES IN
MARICOPA AND LA PAZ COUNTIES IN
ARIZONA ORIGINATING AT THE
HARQUAHALA SWITCHYARD WEST OF
PHOENIX, ARIZONA AND TERMINATING AT
THE DEVERS SUBSTATION IN RIVERSIDE
COUNTY, CALIFORNIA.

DOCKET NO. L-00000A-06-0295-130

Arizona Corporation Commission
DOCKETED

APR 20 2007

DOCKETED BY ne

PROCEDURAL ORDER

BY THE COMMISSION:

On March 21, 2007, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") issued a Certificate of Environmental Compatibility ("CEC") to Southern California Edison Company ("Company").

On April 4, 2007, the Sierra Club, Grand Canyon Chapter ("Sierra Club") and Intervenor Donald G. Begalke, filed requests for review.

On April 5, 2007, the Arizona Corporation Commission's Staff filed a request for review.

Pursuant to A.R.S. § 40-360.07, the Commission hereby sets the matter for oral argument and for the taking of briefs.

A.R.S. § 40-360.07.B provides that the powerplant and transmission line siting committee ("Committee") "shall transmit to the commission the complete record, including a certified transcript, and the review shall be conducted on the basis of the record". Accordingly, the Committee shall transmit the complete record to the commission, if it has not already done so. This statutory provision clearly sets forth that the kind of review that the Commission is allowed to make in

1 reaching its decision on this matter is limited to a review of the record created by the proceedings
2 before the Committee. That record is closed, and additional testimony and evidence cannot be
3 considered by the Commission when making its decision on the certificate. However, the
4 Commission is authorized to hear oral argument and take briefs discussing the testimony and
5 evidence already contained in the record. The Commission is aware that the record in this matter is
6 sizable, and concise briefs that cite to the record (transcript page, exhibit number) will assist the
7 Commission in its review and decision making. The parties should bear in mind that A.R.S. § 40-
8 360.07 provides that: "In arriving at its decision, the commission shall comply with the provisions of
9 § 40-360.06 and shall balance in the broad public interest, the need for an adequate, economical and
10 reliable supply of electric power with the desire to minimize the effect thereof on the environment
11 and ecology of this state". Briefs that address this standard of review and decision making while
12 citing to specific evidence in the record will assist the Commission.

13 Further, the Commission is authorized to hear oral arguments to assist in its decision making.
14 Again, the statute is clear that the record is closed to evidence and testimony. Oral arguments that
15 address the evidence and testimony in the record, and an opportunity for questions by the
16 Commissioners, will assist the Commission in its decision making. Accordingly, we will set oral
17 arguments to commence on May 24, 2007 following the completion of a discussion of Docket No. E-
18 20465A-06-0457 which is scheduled to begin at 9:30 a.m. in the Commission's Hearing Room, 1200
19 West Washington, Phoenix, Arizona. These oral arguments will be made by parties to the proceeding
20 only, and no public comment will be taken. The Intervenors that filed Requests for Review and the
21 Applicant will be allowed 20 minutes each to present their oral argument. All other parties will be
22 allowed 10 minutes. The presiding officer may allow additional time, if necessary. The Commission
23 will not vote at the May 24, 2007 oral arguments. A subsequent special open meeting will be set and
24 notice of such provided by the Commission, at which time the Commission may allow the public to
25 comment, and a vote on the matter will be taken.

26 IT IS THEREFORE ORDERED that the parties shall file concise written briefs, containing
27 citations to the record, with the Commission to assist it in complying with the provisions of § 40-
28 360.06 and balance in the broad public interest, the need for an adequate, economical and reliable

1 supply of electric power with the desire to minimize the effect thereof on the environment and
2 ecology of this state, no later than **4:00 p.m. on May 7, 2007.**

3 **IT IS FURTHER ORDERED** that oral arguments by the parties to the proceeding shall be
4 held before the Commission on **May 24, 2007, upon the completion of a discussion of Docket No.**
5 **E-20465A-06-0457 which is scheduled to begin at 9:30 a.m.** in the Commission's hearing room,
6 1200 West Washington, Phoenix, Arizona.

7 **IT IS FURTHER ORDERED** that the Committee shall, if it has not already, promptly
8 transmit the complete record to the Commission.

9 DATED this 20th day of April, 2007.

10
11 
12 **LYN FARMER**
13 **CHIEF ADMINISTRATIVE LAW JUDGE**

14 Copies of the foregoing mailed/delivered
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