



ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

6607F

COMMISSIONERS

- Mike Gleason, Chairman
- William A. Mundell
- Jeff Hatch-Miller
- Kristin K. Mayes
- Gary Pierce

2008 MAR 27 A 10: 06

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360, *et seq.*, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE SUNDANCE TO PINAL SOUTH 230 kV TRANSMISSION PROJECT, WHICH ORIGINATES AT THE SUNDANCE GENERATING STATION, SECTION 2, TOWNSHIP 6 SOUTH, RANGE 7 EAST, AND TERMINATES AT THE FUTURE PINAL SOUTH SUBSTATION, SECTION 30, TOWNSHIP 6 SOUTH, RANGE 8 EAST, IN PINAL COUNTY, ARIZONA.

CASE NO. 136

DOCKET NO. L-00000D-07-0682-00136

NOTICE OF FILING SAMPLE FORMS OF ORDER

Pursuant to A.R.S. § 40-360.07, the Commission has the authority to confirm, deny or modify a Certificate of Environmental Compatibility ("CEC") issued by the Siting Committee. The Commission's Legal Division hereby submits 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. The third sample order is in a format denying the Siting Committee's decision.

RESPECTFULLY SUBMITTED this 27th day of March, 2008.

Arizona Corporation Commission
DOCKETED
 MAR 27 2008

DOCKETED BY nr

Janice Alward
 Janice Alward
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007
 (602) 542-3402

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**Original and twenty-eight (28)
copies of the foregoing filed this
27th day of March, 2008 with:**

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

**Copies of the foregoing
mailed this 27th day of
March, 2008 to:**

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By Roseann Osorio

**SAMPLE ORDER FORM NO. 1
APPROVING CEC AS ISSUED BY
SITING COMMITTEE**

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Mike Gleason, Chairman
William A. Mundell
Jeff Hatch-Miller
Kristin K. Mayes
Gary Pierce

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360, *et seq.*, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE SUNDANCE TO PINAL SOUTH 230 kV TRANSMISSION PROJECT, WHICH ORIGINATES AT THE SUNDANCE GENERATING STATION, SECTION 2, TOWNSHIP 6 SOUTH, RANGE 7 EAST, AND TERMINATES AT THE FUTURE PINAL SOUTH SUBSTATION, SECTION 30, TOWNSHIP 6 SOUTH, RANGE 8 EAST, IN PINAL COUNTY, ARIZONA.

CASE NO. 136
DOCKET NO. L-00000D-07-0682-00136
DECISION NO. _____

SAMPLE ORDER NO. 1

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

**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 Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capital, in the City of Phoenix, this _____ day of _____ 2008.

BRIAN C. MCNEIL
Executive Director

DISSENT: _____

DISSENT: _____

**SAMPLE ORDER FORM NO. 2
MODIFYING CEC AS ISSUED BY
SITING COMMITTEE**

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

- Mike Gleason, Chairman
- William A. Mundell
- Jeff Hatch-Miller
- Kristin K. Mayes
- Gary Pierce

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360, *et seq.*, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE SUNDANCE TO PINAL SOUTH 230 kV TRANSMISSION PROJECT, WHICH ORIGINATES AT THE SUNDANCE GENERATING STATION, SECTION 2, TOWNSHIP 6 SOUTH, RANGE 7 EAST, AND TERMINATES AT THE FUTURE PINAL SOUTH SUBSTATION, SECTION 30, TOWNSHIP 6 SOUTH, RANGE 8 EAST, IN PINAL COUNTY, ARIZONA.

CASE NO. 136
 DOCKET NO. L-00000D-07-0682-00136
 DECISION NO. _____

SAMPLE ORDER NO. 2

(Sample Form of Order Modifying CEC as Issued by the Siting Committee by Adding or Deleting Conditions to the CEC)

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 by this Order.

The Commission modifies the CEC to add (or delete) the following condition(s):

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

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive
Director of the Arizona Corporation Commission, have
hereunto, set my hand and caused the official seal of this
Commission to be affixed at the Capital, in the City of Phoenix,
this _____ day of _____ 2008.

BRIAN C. MCNEIL
Executive Director

DISSENT: _____

DISSENT: _____

**SAMPLE ORDER FORM NO. 3
DENYING CEC AS ISSUED BY
SITING COMMITTEE**

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

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

8 IN THE MATTER OF THE APPLICATION
9 OF ARIZONA PUBLIC SERVICE
10 COMPANY, IN CONFORMANCE WITH
11 THE REQUIREMENTS OF ARIZONA
12 REVISED STATUTES §§ 40-360, *et seq.*,
13 FOR A CERTIFICATE OF
14 ENVIRONMENTAL COMPATIBILITY
15 AUTHORIZING THE SUNDANCE TO
16 PINAL SOUTH 230 kV TRANSMISSION
17 PROJECT, WHICH ORIGINATES AT THE
18 SUNDANCE GENERATING STATION,
19 SECTION 2, TOWNSHIP 6 SOUTH, RANGE
20 7 EAST, AND TERMINATES AT THE
21 FUTURE PINAL SOUTH SUBSTATION,
22 SECTION 30, TOWNSHIP 6 SOUTH,
23 RANGE 8 EAST, IN PINAL COUNTY,
24 ARIZONA.

CASE NO. 136

DOCKET NO. L-00000D-07-0682-00136

DECISION NO. _____

SAMPLE ORDER NO. 3

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

25 The Arizona Corporation Commission ("Commission") has conducted its review,
26 pursuant to A.R.S. § 40-360.07. Pursuant to A.R.S. § 40-360.07(B), the Commission, in compliance
27 with A.R.S. § 40-360.06 and in balancing the broad public interest, the need for an adequate,
28 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.

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

- 31 1. the evidence in the record is not sufficient to weigh the balancing of the public interest
32 in favor of granting a CEC in this matter when all the factors set forth in A.R.S. §
33 40-360.06 are considered along with need for an adequate economical, and reliable
34 supply of electric power;
- 35 2. the conditions placed upon CEC by the Arizona Power Plant and Transmission Line
36 Siting Committee ("Siting Committee") are not sufficient to weigh the balancing of

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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;

- 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 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

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capital, in the City of Phoenix, this _____ day of _____ 2008.

BRIAN C. MCNEIL
Executive Director

DISSENT: _____

DISSENT: _____