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INTERVENTION

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2008 APR 10 A 10:15

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ADMITTED TO PRACTICE IN:
ARIZONA, COLORADO, MONTANA,
NEVADA, TEXAS, WYOMING,
DISTRICT OF COLUMBIA

OF COUNSEL TO
MUNGER CHADWICK, P.L.C.

April 8, 2008

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

Re: Docket No. L-00000B-04-0126-00000
Siting Case No. 126

To Whom It May Concern:

Enclosed for filing in the above-referenced proceeding are the original and fifteen (15) copies of an Application For Leave To Intervene ("Application") on behalf of Pinal County, Arizona.

Also enclosed are two (2) additional copies of the aforesaid Application. I would appreciate it if you would "filed" stamp the same and return them to me in the enclosed stamped and addressed envelope.

Thank you for your assistance with regard to this matter.

Sincerely,

Angela R. Trujillo

Secretary

Lawrence V. Robertson, Jr.

Arizona Corporation Commission
DOCKETED

APR 10 2008

DOCKETED BY
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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2008 APR 10 A 10:15

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

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,) Docket No. L-00000B-04-0126-00000
INC. AND TUCSON ELECTRIC POWER IN)
CONFORMANCE WITH THE REQUIREMENTS) Case No. 126
OF ARIZONA REVISED STATUTES SECTION)
40-360, et. seq., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY) **APPLICATION FOR LEAVE**
AUTHORIZING CONSTRUCTION OF THE) **TO INTERVENE**
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.)

Pursuant to A.A.C. R14-3-105, Pinal County, Arizona ("Pinal") submits this Application For Leave To Intervene in the above-captioned proceeding. In support of its intervention request, Pinal submits the following information.

I.

IDENTITY OF APPLICANT

Pinal is one (1) of the fifteen (15) counties of which the State of Arizona is comprised. As such, Pinal has authority over and responsibility for a wide range of activities which occur within the unincorporated areas of Pinal. One (1) such area is the Pinal County Fairgrounds ("Fairgrounds"); and, Pinal has authority over and responsibility for the operation and

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1 maintenance of the Fairgrounds as a property and facilities serving the public throughout the
2 year.

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4 **II.**

5 **NATURE OF APPLICANT'S INTEREST**
6 **IN THE INSTANT PROCEEDING**

7 In its April 4, 2008 "Motion To Amend Decision No. 68093 To Expand Permitted
8 Corridor Width West Of The Pinal South Substation and Request For Expedited Consideration"
9 ("Motion"), the Salt River Project Agricultural Improvement and Power District ("SRP") is
10 requesting that, pursuant to A.R.S. § 40-252, the Commission modify its Decision No. 68093 so
11 as to widen the transmission corridor for SRP's contemplated Pinal West - Southeast
12 Valley/Browning 500/230 kV transmission line from the currently permitted 1,000' to 3,140', in
13 order that SRP may have the flexibility to route its transmission line so as to avoid crossing the
14 Fairgrounds. Under the constraints of the corridor width previously approved by Decision No.
15 68093, SRP does not have the flexibility to avoid crossing, and thus impacting, the Fairgrounds.

16 Pinal is both appreciative and supportive of SRP's Motion, as evidenced by the April 3,
17 2008 letter from the undersigned to SRP, which is attached as Exhibit 5 to SRP's Motion. As
18 therein noted,

19 "...Pinal County is deeply concerned by the prospect of one (1) or more EHV
20 electric transmission lines transecting the Pinal County Fairgrounds; and, in that
21 regard, Pinal County recently was successful in articulating that concern to the
22 members of the Arizona Power Plant and Transmission Line Siting Committee
23 ("Siting Committee") and APS within the context of Siting Case No. 136. As
24 you are aware, the CEC which has been granted by the Siting Committee in Case
25 No. 136 provides that APS may not locate any portion of its 230 kV transmission
26 line on the Pinal County Fairgrounds without the prior written consent of Pinal
27 County.

28 Siting Case No. 126, which was decided several years ago, resulted in
Decision No. 68093 and the CEC which is the subject of SRP's Motion. Pinal
County did not participate in that proceeding. Had Pinal County been a party, it
would have been in a position to demonstrate at that time the adverse impact of
any EHV electric transmission line(s) transecting the Pinal County Fairgrounds,
where at various times throughout the year public events attracting as many as
8,000 to 11,000 people take place. Pinal County did make such an evidentiary
presentation in Siting Case No. 136."

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2 The modification of Decision No. 68093 requested by SRP's Motion provides the
3 Commission with an opportunity to harmonize the transmission corridor results in Siting Case
4 No. 136 and 126 in the area directly west of the Pinal South Substation, and to do so in such a
5 manner as to allow both SRP and APS to avoid adversely impacting the Fairgrounds.
6 Accordingly, Pinal will be substantially and directly affected any decision by the Commission in
7 response to SRP's Motion.

8 **III.**
9 **APPLICANT'S INTERVENTION WILL**
10 **NOT UNDULY BROADEN THE ISSUES**
11 **TO BE CONSIDERED**

12 As of this juncture, Pinal does not anticipate a need to raise any new issues of its own.
13 Rather, it contemplates participating and addressing those matters which are already the subject
14 of SRP's Motion, and it contemplates it will be supportive of SRP's request. Thus, Pinal's
15 intervention will not unduly broaden the issues to be considered.

16 **IV.**
17 **CONCLUSION**

18 WHEREFORE, for the reasons discussed above, Pinal hereby requests that the
19 Commission issue a Procedural Order in the above-captioned proceeding (i) granting Pinal's
20 request for intervention, and (ii) according Pinal status and full rights as a party of record.¹ In
21 that regard, Pinal is supportive of SRP's request that SRP's Motion be scheduled for
22 consideration and action by the Commission as an item on the Commission's Open Meeting
23 agenda as soon as is reasonably possible.

24 Dated this 8th day of April 2008.

25 Respectfully submitted,

26 By: Lawrence V. Robertson, Jr.
27 Lawrence V. Roberson, Jr.

28 ¹ As noted above and in Footnote 7 of SRP's Motion, Pinal was not a party to Siting Case No. 126.

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1 Original and fifteen (15) copies of the
2 foregoing mailed this 8th day of April 2008 to:

3 Docket Control Division
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 A copy of the same served by e-mail or first
8 class mail this same date to:

9 Janice Alward
10 Legal Division
11 ARIZONA CORPORATION COMMISSION
12 1200 W. Washington Street
13 Phoenix, AZ 85007

14 Ernest G. Johnson
15 Utilities Division
16 Arizona Corporation Commission
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