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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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- WILLIAM A. MUNDELL
- JEFF HATCH-MILLER
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2008 MAY -9 P 4: 04  
AZ CORP 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, 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-04-0126-00000

CASE NO. 126

Arizona Corporation Commission

DOCKETED

MAY - 9 2008

DOCKETED BY	<i>mm</i>
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PROCEDURAL ORDER

**BY THE COMMISSION:**

On August 25, 2005, the Arizona Corporation Commission ("Commission") issued Decision No. 68093 in this docket, which granted a modified and amended Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee to the Salt River Project Agricultural Improvement and Power District ("SRP" or "Applicant"). On November 14, 2005, the Commission issued Decision No. 68291 in this docket, which amended Decision No. 68093 to expand the corridor width of the CEC.

On April 4, 2008, SRP filed a Motion to Amend Decision No. 68093 to Expand Permitted Corridor Width West of the Pinal South Substation and Request for Expedited Consideration ("Motion").

On April 10, 2008, Pinal County filed a Request to Intervene ("Request").

1 On April 18, 2008, SRP filed a Supplement to its Motion.

2 On April 24, 2008, Mr. Kenneth Reycraft filed a letter to the Docket.

3 At the Commission's Open Meeting on April 24, 2008, the Commission voted to consider  
4 amending Decision No. 68093 pursuant to A.R.S. § 40-252 to consider the issues raised in SRP's  
5 Motion and referred the matter to the Hearing Division for all future proceedings.

6 By Procedural Order issued on April 29, 2008, Pinal County was granted intervention.

7 IT IS THEREFORE ORDERED that the **evidentiary hearing** in the above-captioned matter  
8 shall commence on **May 30, 2008, at 10:00 a.m.** or as soon thereafter as is practical, at the  
9 Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix, Arizona 85007.

10 IT IS FURTHER ORDERED that a **public comment meeting will be held on May 20, 2008,**  
11 **at 7:00 p.m., at the Pinal County Fairgrounds, located at 512 South 11 Mile Corner Road, Casa**  
12 **Grande, Arizona.**<sup>1</sup>

13 IT IS FURTHER ORDERED that SRP shall arrange for the transcript of the public comment  
14 session and the evidentiary hearing to be docketed on an expedited basis.<sup>2</sup>

15 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
16 except that **all motions to intervene must be filed on or before May 28, 2008.**

17 IT IS FURTHER ORDERED that SRP shall publish once in a newspaper of general  
18 circulation in the locality and shall mail, at a minimum, to all landowners in Sections 25, 26, 35 and  
19 36 of Township 6 South, Range 7 East and all landowners in Sections 30 and 31 of Township 6  
20 South, Range 8 East, G&SRB&M, Pinal County, Arizona, the following public notice of the hearing  
21 in this matter, in the following form and style with the heading in no less than 24 point bold type and  
22 the body in no less than 10 point regular type:

23 ...  
24 ...  
25 ...  
26 ...

27 \_\_\_\_\_  
28 <sup>1</sup> Directions: Take I-10 to exit 194. Travel east 7 miles on Hwy 287. Turn South on Eleven Mile Corner Road.  
<sup>2</sup> Within seven calendar days of each hearing.

**PUBLIC NOTICE OF HEARING ON THE APPLICATION TO  
AMEND DECISION NO. 68093  
OF SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT  
DOCKET NUMBER L-00000B-04-0126-00000**

On August 25, 2005, the Arizona Corporation Commission ("Commission") issued Decision No. 68093 which granted a modified and amended Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee to the Salt River Project Agricultural Improvement and Power District ("SRP" or "Applicant").

On April 4, 2008, SRP filed a Motion to Amend Decision No. 68093 to Expand Permitted Corridor Width West of the Pinal South Substation and Request for Expedited Consideration ("Motion"). SRP requests that the existing 1,000 foot corridor be expanded south to Earley Road, for a total corridor width of approximately 3,140 feet. At the Commission's Open Meeting on April 24, 2008, the Commission voted to consider amending Decision No. 68093 pursuant to A.R.S. § 40-252 to consider the issues raised in SRP's Motion and referred the matter to the Hearing Division for all future proceedings. Pinal County has intervened in this matter and supports SRP's request because it would enable SRP to design and locate its Pinal West-Southeast Valley/Browning 500/230 kV transmission line so as to avoid crossing the Pinal County Fairgrounds.

The Commission will conduct a **public comment session** at the Pinal County Fairgrounds, 512 South 11 Mile Corner Road, Casa Grande, Arizona on May 20, 2008, beginning at 7:00 p.m. The public is invited to attend and provide input on SRP's request.

The Commission will also conduct an **evidentiary hearing** on May 30, 2008 commencing at 10:00 a.m. at the Commission's offices, 1200 West Washington St., Phoenix, AZ 85007.

The Commission will subsequently vote on the matter at an Open Meeting to be determined, but which may be scheduled for the time and place of the evidentiary hearing. In such event, the Commissioners may vote on the matter at the conclusion of the evidentiary hearing.

**How You Can View or Obtain a Copy of the Request**

Copies of SRP's application are available upon request by contacting the Company at [COMPANY SHOULD INSERT NAME, ADDRESS, TELEPHONE NUMBRE, AND E-MAIL ADDRESS FOR CUSTOMER CONTACTS REGARDING THE APPLICATION]. Copies of the application are also available at the Commission's offices at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a hearing on this matter beginning at 10:00 a.m. on May 30, 2008, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.

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Public comments will be taken at the hearing. Written public comments may be submitted via email (visit [http://www.azcc.gov/divisions/utilities/forms/public\\_comment.pdf](http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf) for instructions), or by mailing a letter referencing Docket Number E-01345A-05-0816 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007.

**Information Regarding Intervenor Status**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to SRP or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer, landowner/resident, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to SRP or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before May 28, 2008. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf> The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any landowner/resident from appearing at the hearing and making a statement on such customer's own behalf.

**ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Linda Hogan, E-mail [Lhogan@azcc.gov](mailto:Lhogan@azcc.gov), voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that SRP shall publish the above notice no later than **May 14, 2008** and shall mail notice no later than **May 12, 2008.**

IT IS FURTHER ORDERED that Pinal County shall mail the following notice to, at a minimum, all landowners in Sections 25, 26, 35 and 36 of Township 6 South, Range 7 East and all

1 landowners in Sections 30 and 31 of Township 6 South, Range 8 East, G&SRB&M, Pinal County,  
 2 Arizona, no later than **May 12, 2008**.<sup>3</sup>

3 Dear Homeowner/Landowner:

4 On April 4, 2008 the Salt River Agricultural Improvement and Power District  
 5 (“SRP”) filed a motion with the Arizona Corporation Commission (“ACC”)   
 6 requesting that the ACC amend a 2005 ACC decision for the limited purpose of   
 7 widening an electric transmission line corridor which the ACC previously approved   
 8 for SRP. The current corridor width is 1,000 feet, and SRP has requested that it be   
 9 widened to 3,140 feet. The proposed widening would occur in the same area that   
 10 Arizona Public Service Company (“APS”) recently received authorization from the   
 11 ACC to construct its Sundance-Pinal South 230 kV transmission line. It is possible   
 12 that APS’ and SRP’s lines would be located parallel to one another somewhere   
 13 between the southern boundary of the Pinal County Fairgrounds and Earley Road. The   
 14 precise location in that area may be influenced by public comments received by the   
 15 ACC, APS and SRP. The requested area is indicated on the map attached as Appendix   
 16 “A”.

17 In an April 8, 2008 filing with the ACC, Pinal County indicated its support for   
 18 the corridor widening proposed by SRP. On April 24, 2008, the ACC agreed to   
 19 consider SRP’s request and instructed its Hearing Division to schedule a public   
 20 hearing for that purpose.

21 Pinal County supports SRP’s request, because it would enable SRP to design   
 22 and locate its Pinal West -Southeast Valley/Browning 500/230 kV transmission line so   
 23 as to avoid crossing the Pinal County Fairgrounds. Under the corridor width currently   
 24 approved for SRP, the new electric transmission line would be constructed through the   
 25 middle of the Fairgrounds (in a West to East direction), and would substantially and   
 26 adversely impact many of the activities which occur on the Fairgrounds throughout the   
 27 year, and the thousands of Pinal County residents and visitors who attend and   
 28 participate in those activities. This potential impact is illustrated by Appendix “B,”   
 which shows (i) SRP’s current 1,000 feet corridor in blue, (ii) the areas of the   
 Fairgrounds used for various activities in yellow, and (iii) photographs of typical   
 attendance at such activities.

Attached as Appendix “C” is a simulation of how the SRP and APS   
 transmission lines would appear, as viewed from south of Earley Road, if they were   
 located adjacent to Earley Road. Attached as Appendix “D” is a simulation of how the   
 lines would appear from the same viewpoint, if located in the area immediately south   
 of the Fairgrounds, which is the alignment preferred by Pinal County.

On behalf of Pinal County, I would like to invite you to a public Open House   
 which will be held at the Pinal County Fairgrounds on **May 20, 2008 beginning at   
 7:00 p.m.** At that time you can learn more about the proposed corridor widening and   
 share your views. In addition, there will be a public evidentiary hearing before the   
 ACC on **May 30, 2008 beginning at 10:00 a.m.** at 1200 West Washington, Hearing   
 Room 1, Phoenix, Arizona. The Commission will subsequently vote on the matter at   
 an Open Meeting to be determined, but which may be scheduled for the time and place   
 of the evidentiary hearing. In such event, the Commissioners may vote on the matter   
 at the conclusion of the evidentiary hearing.

<sup>3</sup> The attached appendices should be in color.

In the interim, if you have any questions, please contact me at (520) 866-6221.

Sincerely,

Manuel T. Gonzalez  
Assistant County Manger

IT IS FURTHER ORDERED that SRP and Pinal County shall file with the Commission's Docket Control no later than May 19, 2008, certifications that public notice was given in accordance with this Procedural Order.

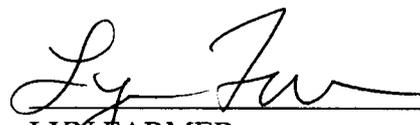
IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be deemed complete upon the mailing and public posting of notice, notwithstanding the failure of an individual landowner to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 9<sup>th</sup> day of May 2008.



LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered  
this 9~~th~~ day of May 2008 to:

2  
3 Kenneth C. Sundlof, Jr.  
4 JENNINGS STROUSS & SALMON, P.L.C.  
5 201 E. Washington Street, 11<sup>th</sup> Floor  
6 Phoenix, AZ 85004-2385 ✓  
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28 Debbi Person  
Secretary to Lyn Farmer