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INTERVENTIO

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2008 JUL 25 A 11: 08

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ADMITTED TO PRACTICE IN:
AZ, CO, ARIZONA, COLORADO, MONTANA,
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DISTRICT OF COLUMBIA
DOCKET CONTROL

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

July 24, 2008

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

Arizona Corporation Commission
DOCKETED

JUL 25 2008

DOCKETED BY

Re: Arizona Public Service Company
Docket No. L-00000D-08-0330-00138
Siting Case No. 138

To Whom It May Concern:

Enclosed for filing in the above-referenced proceeding are the original and twenty-five (25) copies of a Request For Leave To Intervene And Participate As a Party ("Request") on behalf of Diamond Ventures, Inc., as defined within the Request.

Also enclosed are two (2) additional copies of the Request. 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. Please advise me if you have any questions.

Sincerely,

Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

INTERVENTION

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE RECEIVED

2008 JUL 25 A 11: 08

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) DOCKET NO. L-00000D-08-0330-00138
 CERTIFICATE OF ENVIRONMENTAL)
 COMPATIBILITY AUTHORIZING THE TS-5) Case No. 138
 TO TS-9 500/230 kV TRANSMISSION LINE)
 PROJECT, WHICH ORIGINATES AT THE) REQUEST FOR LEAVE TO
 FUTURE TS-5 SUBSTATION, LOCATED IN) INTERVENE AND PARTICIPATE
 THE WEST HALF OF SECTION 29,) AS A PARTY
 TOWNSHIP 4 NORTH, RANGE 4 WEST AND)
 TERMINATES AT THE FUTURE TS-9)
 SUBSTATION, LOCATED IN SECTION 33,)
 TOWNSHIP 6 NORTH, RANGE 1 EAST, IN)
 MARICOPA COUNTY, ARIZONA)

Pursuant to A.R.S. § 40-360.05(A), First American Title Insurance Company, a California corporation, as Trustee under Trust No. 4912, and Diamond Ventures, Inc., an Arizona corporation, as a Beneficiary of and spokesperson for Trust 4912 (collectively "Diamond Ventures") hereby request leave to intervene and participate as a party in the above-captioned and above-docketed proceeding. In support of this request, Diamond Ventures submits the following information.

I.

DESCRIPTION OF DIAMOND VENTURES AND ITS INTEREST IN PROCEEDING

Diamond Ventures has successfully engaged in a variety of roles related to the development of master planned communities in the State of Arizona for many years. One of these master planned communities is to be known as Saddleback Heights. As currently contemplated, Saddleback Heights will be comprised of 5,296 acres of privately held land, and 756 acres of Arizona State Land Department trust land, or a total of 6,052 acres.

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1 Saddleback Heights will be located in the Northwest Valley portion of the metropolitan
2 Phoenix area. It is currently contemplated that the master planned community will consist of
3 6,195 residential dwelling units, commercial and mixed-use areas, school district and public
4 facility areas, and three (3) golf courses. The planning vision calls for a desert enclave
5 community with a strong resort lifestyle and use identity, which will create a continuum of
6 contiguous desert and mountain open space that links diverse residential neighborhoods and
7 other use areas. In this regard, the contemplated development of Saddleback Heights represents
8 a significant economic "asset" for the City of Peoria.

9 The Saddleback Heights acreage abuts Carefree Highway on the south, and it abuts SR
10 74 on the north for a distance of approximately five (5) miles. As a consequence, and as may be
11 ascertained from Figure 1 to Arizona Public Service Company's ("APS") July 1, 2008
12 Application for a Certificate of Environmental Compatibility ("CEC"), portions of the
13 Saddleback Heights master planned community would be directly impacted by approval of either
14 APS' proposed Preferred Route along Carefree Highway or its proposed Alternative Route 3
15 along the south side of SR 74. Accordingly, Diamond Ventures would be directly affected by
16 any CEC which might be granted approving the use of either of the aforesaid transmission line
17 routes proposed by APS; and, Diamond Ventures is the only party in a position to adequately
18 represent its particular interests and needs in the above-captioned and above-docketed
19 proceeding.

20 II.

21 NATURE OF DIAMOND VENTURES' PARTICIPATION

22 If granted intervention, Diamond Ventures will participate in the above-captioned and
23 above-docketed proceeding through a combination of (i) cross-examination of the witnesses of
24 APS and other parties as to matters relevant to Diamond Ventures' interests and concerns, and
25 (ii) presentation of an evidentiary case through witnesses for Diamond Ventures. In that regard,
26 and consistent with the suggestion set forth in the July 2, 2008 Procedural Order issued in this
27 matter by the Chairman of the Siting Committee, Diamond Ventures currently contemplates
28

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1 collaborating with at least two (2) other parties with interests in the area between Milepost 28.1
2 and Milepost 39.2 in the TS-5 to TS-9 500/230 kV Project Area. Such collaboration will
3 probably include the presentation of an evidentiary case in support of an alternative route in that
4 area to portions of the Preferred Route and Alternative Route 3 proposed in APS' July 1, 2008
5 Application and supporting documents.

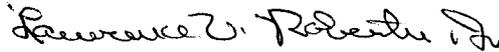
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7 **III.**

8 **CONCLUSION**

9 Based upon the forgoing, Diamond Ventures believes that (i) its intervention and
10 participation in above-captioned and above-docketed proceeding would be appropriate, and
11 within both the contemplation and language of A.R.S. § 40-360.05 (A)(4), and (ii) that its
12 Request For Leave To Intervene and Participate As A Party therefore should be granted.

Dated this 24th of July 2008.

13 Respectfully submitted,

14 

15 Lawrence V. Robertson, Jr.
16 Attorney for Diamond Ventures, Inc.

17 The original and twenty-five (25) copies of the
18 foregoing Request For Leave To Intervene
19 and Participate As a Party are being filed this
20 24th day of July 2008 with:

21 Docket Control
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, Arizona 85007

25 A copy of the foregoing Request has been
26 emailed/mailed this same date to:

27 John Foreman, Chairman
28 Arizona Power Plant and
Transmission Line Siting Committee
Assistant Attorney General

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