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BEFORE THE ARIZONA POWER PLANT

DEC 10 P 12: 54 AND TRANSMISSION LINE SITING COMMITTEE

ARIZONA CORPORATION COMMISSION
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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 TS-5 TO TS-9
500/230kV TRANSMISSION LINE
PROJECT, WHICH ORIGINATES AT
THE FUTURE TS-5 SUBSTATION,
LOCATED IN THE WEST HALF OF
SECTION 29, 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

Docket No. L-00000D-08-0330-00138
Case No. 138

**ARIZONA PUBLIC SERVICE
COMPANY'S NOTICE OF FILING
SUPPLEMENTAL E-MAIL**

Arizona Corporation Commission

DOCKETED

DEC 10 2008

DOCKETED BY

On October 24, 2008, the Arizona Corporation Commission Staff ("Staff") submitted a Request to Supplement the Record in the above referenced docket. Staff requested that Chairman John Foreman of the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") file in the docket all e-mails in his possession transmitted among the parties and the Committee. On October 31, 2008, the Chairman filed a Procedural Order responding to Staff's request. On November 24, 2008, Staff submitted a Notice of Filing E-Mails to Supplement the Record that included all e-mail messages Staff considered responsive to their initial request. Staff also asked the other parties to provide any additional e-mails between the parties and the Committee not

1 included with Staff's filing. Attachment A contains such e-mail identified by Arizona
2 Public Service Company, the Applicant in this docket.

3
4 RESPECTFULLY submitted this 10th day of December, 2008.

5 LEWIS AND ROCA LLP

6
7 

8 Thomas H. Campbell
9 Albert Acken
10 40 N. Central Avenue
11 Phoenix, Arizona 85007
12 Attorneys for Arizona Public Service Company

13 **ORIGINAL** and twenty-five (25) copies
14 of the foregoing filed this 10th day
15 of December, 2008, with:

16 The Arizona Corporation Commission
17 Utilities Division – Docket Control
18 1200 W. Washington Street
19 Phoenix, Arizona 85007

20 **COPY** of the foregoing
21 served electronically via e-mail
22 this 10th day of December, 2008, to:

23 John Foreman, Chairman
24 Arizona Power Plant and Transmission Line Siting Committee
25 Office of the Attorney General
26 PAD/CPA
1275 W. Washington Street
Phoenix, Arizona 85007

- 1 Charles H. Hains
- 2 Legal Division
- 3 Arizona Corporation Commission
- 4 1200 W. Washington Street
- 5 Phoenix, Arizona 85007

- 6 Mark A. Nadeau
- 7 Shane D. Gosdis
- 8 DLA Piper US LLP
- 9 2415 E. Camelback Road, Suite 700
- 10 Phoenix, Arizona 85016
- 11 Attorneys for 10,000 West, L.L.C.

- 12 Stephen J. Burg, Chief Assistant City Attorney
- 13 City of Peoria
- 14 8401 W. Monroe Street
- 15 Room 280
- 16 Peoria, Arizona 85345
- 17 Attorneys for the City of Peoria

- 18 Joseph A. Drazek
- 19 Michelle De Blasi
- 20 Roger K. Ferland
- 21 Quarles & Brady LLP
- 22 Two North Central Avenue
- 23 Phoenix, Arizona 85004-2391
- 24 Attorneys for Vistancia, LLC

- 25 Michael D. Bailey
- 26 City of Surprise Attorney's Office
- 12425 W. Bell Road
- Surprise, Arizona 85374
- Attorneys for City of Surprise

- Jay Moyes
- Steve Wene
- Moyes Sellers & Sims
- 1850 N. Central Avenue,
- Suite 1100
- Phoenix, Arizona 85004
- Attorneys for Vistancia Associations

- 1 Scott S. Wakefield
2 201 N. Central Avenue
3 Suite 3300
4 Phoenix, Arizona 85004-1052
5 Attorneys for DLGC II, LLC and
6 Lake Pleasant Group, LLP
- 7 Court S. Rich
8 Rose Law Group PC
9 6613 N. Scottsdale Road
10 Suite 200
11 Scottsdale, Arizona 85250
12 Attorneys for Warrick 160, LLC and
13 Lake Pleasant 5000,LLC
- 14 Lawrence V. Robertson, Jr.
15 P.O. Box 1448
16 Tubac, Arizona 85646
17 Attorney for Diamond Ventures, Inc.
- 18 Scott McCoy
19 Earl Curley Lagarde, PC
20 Suite 1000
21 3101 N. Central Avenue
22 Phoenix, Arizona 85012-2654
23 Attorneys for Elliott Homes, Inc.
- 24 Andrew Moore
25 Earl Curley Lagarde, PC
26 Suite 2000
3101 N. Central Avenue
Phoenix, Arizona 85012-2654
Attorneys for Woodside Homes of Arizona, Inc.
- Garry D. Hays
Law Offices of Garry D. Hays PC
1702 E. Highland Avenue
Suite 400
Phoenix, Arizona 85016
Attorney for Arizona State Land Department

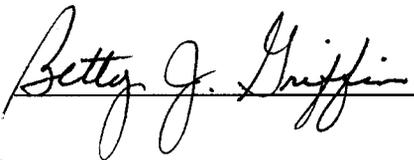
1 James T. Braselton
2 Gary L. Birnbaum
3 Mariscal Weeks McIntyre & Friedlander, PA
4 2901 N. Central Avenue
5 Suite 200
6 Phoenix, Arizona 85012-2705
7 Attorneys for Surprise Grand Vista JV I, LLC

8 Christopher S. Welker
9 Holm Wright Hyde & Hays PLC
10 10201 S. 51st Street
11 Suite 285
12 Phoenix, Arizona 85044
13 Attorneys for LP 107, LLC

14 Dustin C. Jones
15 John Paladini
16 Tiffany & Bosco, P.A.
17 2525 E. Camelback Road, Third Floor
18 Phoenix, Arizona 85016
19 Attorneys for Anderson Land Development, Inc.

20 Jeanine Guy, Town Manager
21 Town of Buckeye
22 1101 E. Ash Avenue
23 Buckeye, Arizona 85326
24 *Pro se* applicant

25 Frederick E. Davidson
26 Chad R. Kaffer
The Davidson Law Firm, P.C.
8701 E. Vista Bonita Drive
Suite 220
P.O. Box 27500
Scottsdale, Arizona 85255
Attorneys for Quintero

27 
28 _____

ATTACHMENT A

Haberman, Marjorie

From: Charles Hains [CHains@azcc.gov]
Sent: Thursday, October 30, 2008 3:15 PM
To: John.Foreman@azag.gov; Susan Ellis
Cc: Shane.Gosdis@dlapiper.com; Acken, Albert; Lawrence.Krueger@aps.com; megan.grabel@aps.com; michael.dewitt@aps.com; crk@davidsonlaw.net; mark.nadeau@dlapiper.com; Susan.Watson@dlapiper.com; amoore@ecllaw.com; smccoy@ecllaw.com; cwelker@holmwright.com; hharpest@holmwright.com; panoland@hotmail.com; ghays@lawgdh.com; jimoyes@lawms.com; swene@lawms.com; Campbell, Tom; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; steve.burg@peoriaaz.gov; jdrazek@quarles.com; rferland@quarles.com; sswakefield@rhhklaw.com; chrich@roselawgroup.com; rhurley@roselawgroup.com; michael.bailey@surpriseaz.com; dcj@tblaw.com; jmp@tblaw.com; Janice Alward; edietrich@land.az.gov; megan.grabel@pinnaclewest.com; rpizorno@buesgilbert.com; crich@roselawgroup.com; JCZimmerman@lawms.com; Lawrence Robertson; Ayesha Vohra
Subject: RE: Siting Case No. 138 Scheduling Availability

Chair Foreman,

After consulting our calendars, Ms. Vohra and I are both available for any of the days in the December 1-3, 2008 and December 8-10, 2008 slots for a resumption of proceedings for LS 138.

Charles Hains
Arizona Corporation Commission
Legal Division
Ph: (602) 542-3402
Fx: (602) 542-4870
email: chains@azcc.gov

=====
This footnote confirms that this email message has been scanned to
detect malicious content. If you experience problems, please e-mail postmaster@azcc.gov
=====

Haberman, Marjorie

From: Donnelly Herbert [DHerbert@LAWMS.COM]
Sent: Tuesday, October 28, 2008 10:21 AM
To: John.Foreman@azag.gov; Shane.Gosdis@dlapiper.com; Acken, Albert; Lawrence.Krueger@aps.com; megan.grabel@aps.com; michael.dewitt@aps.com; chains@azcc.gov; JackH@AZcommerce.com; PWR@azdeq.gov; MikeB@azroyal.com; GAHoutz@azwater.gov; Barry@barrywong.com; jguy@buckeyeaz.gov; Centurian@cox.net; crk@davidsonlaw.net; mark.nadeau@dlapiper.com; Susan.Watson@dlapiper.com; amoore@ecllaw.com; smccoy@ecllaw.com; cwelker@holmwright.com; hharpest@holmwright.com; panoland@hotmail.com; ghays@lawgdh.com; Campbell, Tom; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; MightyMikeBisbee@peoplepc.com; steve.burg@peoriaaz.gov; jdrazek@quarles.com; rferland@quarles.com; sswakefield@rhhklaw.com; chrich@roselawgroup.com; rhurley@roselawgroup.com; michael.bailey@surpriseaz.com; dcj@tblaw.com; jmp@tblaw.com; JAlward@azcc.gov; edietrich@land.az.gov; megan.grabel@pinnaclewest.com; rpizorno@buesgilbert.com; crich@roselawgroup.com; Larry Robertson
Cc: Jay Moyes; Steve Wene
Subject: The attached Notice is being filed with Docket Control today.
Attachments: Notice of Filing of Exhibits - Vistancia.pdf

<<Notice of Filing of Exhibits - Vistancia.pdf>>

Donnelly Herbert

Legal Assistant

Moyes Sellers & Sims Ltd.

1850 N. Central Ave., Ste. 1100

Phoenix, AZ 85004

602-604-2160

Haberman, Marjorie

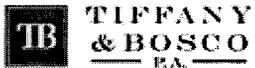
From: Esther J. Hawley [ejh@tblaw.com]
Sent: Friday, October 24, 2008 5:27 PM
To: chains@azcc.gov; avohra@azcc.gov; john.foreman@azag.gov; edietrich@land.az.gov; JIM BRASELTON; gary.birnbaum@mwmf.com; TubacLawyer@aol.com; steve.burg@peoriaaz.gov; meghan.grabel@pinnaclewest.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; sswakefield@rhhklaw.com; swene@lawms.com; jimoyes@lawms.com; ghays@lawgdh.com; michael.bailey@surpriseaz.com; cwelker@holmwright.com; mark.nadeau@dlapiper.com; shane.gosdis@dlapiper.com; amoore@ecllaw.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Acken, Albert; mdeblasi@quarles.com; amoore@ecllaw.com; rpizorno@beusgilbert.com; jdrazek@quarles.com; michael.dewitt@aps.com; lawrence.krueger@aps.com; wmundell@azcc.gov; jackh@azcommerce.com; pwr@azdeq.gov; mikeb@azroyal.com; gahoutz@azwater.gov; barry@barrywong.com
Cc: Jon M. Paladini; Dustin C. Jones
Subject: APS Line Siting - Notice of Filing Anderson Land Exhibit AL-1
Importance: High
Attachments: ANDERSON LAND PLD - Notice of Filing Exhibit AL-1 102408.pdf

All:

Attached is the Notice of Filing Exhibit AL-1 on behalf of Anderson Land and Development. Exhibit AL-1 is a copy of the PowerPoint presentation Mr. Anderson will use at the next hearing.

Our runner attempted to file the pleading, he arrived on time and was unable to complete the filing due to staff not being present; therefore, the filing will be on the docket Monday, October 27, 2008.

Sincerely,
Esther Jean Hawley
Assistant to Dustin C. Jones
Direct 602-255-6043 | Fax 602-255-0103



Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tblaw.com

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Haberman, Marjorie

From: Michael Bailey [Michael.Bailey@surpriseaz.com]
Sent: Thursday, October 23, 2008 3:07 PM
To: John Foreman; Shane Gosdis; Acken, Albert
Cc: TubacLawyer@aol.com; Lawrence.Krueger@aps.com; meghan.grabel@aps.com; michael.dewitt@aps.com; chains@azcc.gov; William Mundell; Jack Haenichen; Paul Rasmussen; Mike Biesemeyer; Gregg Houtz; Barry Wong; jguy@buckeyeaz.gov; Mike Whalen; crk@davidsonlaw.net; Mark Nadeau; Susan Watson; amorre@ecllaw.com; smccoy@ecllaw.com; cwelker@holmwright.com; hharpest@holmwright.com; Patricia Noland; ghays@lawgdh.com; jimoyes@lawms.com; swene@lawms.com; Campbell, Tom; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; Mike Palmer; steve.burg@peoriaaz.gov; jdrazek@quarles.com; mdeblasi@quarles.com; rferland@quarles.com; sswakefield@rhhklaw.com; chrich@roselawgroup.com; rhurley@roselawgroup.com; dcj@tblaw.com; jmp@tblaw.com
Subject: TS-5 to TS-9 Application - City of Surprise Filing
Attachments: Notice of Filing Testimony and Exhibits October 23.pdf; Exhibit S-4.pdf; Exhibit S-5.pdf; Exhibit S-6.pdf



Notice of Filing
Testimony and...



Exhibit S-4.pdf (923
KB)



Exhibit S-5.pdf (5
MB)



Exhibit S-6.pdf (614
KB)

Please see attached.

Thank you.

Michael D. Bailey
City Attorney
City of Surprise
623.222.1120

PUBLIC RECORDS INFORMATION

Under Arizona Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, contact this office by phone or in writing.

LEGAL DISCLAIMER

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THANK YOU.

Haberman, Marjorie

From: Griffin, Betty Jean
Sent: Thursday, October 02, 2008 2:38 PM
To: 'john.foreman@azag.gov'; 'chains@azcc.gov'; 'thogan@aclpi.org'; 'jimoyes@lawms.com'
Cc: Campbell, Tom; Acken, Albert; Bingham, Matthew; Haberman, Marjorie;
'kate.maracas@solar.abengoa.com'; 'killman@tierra-ec.com'; 'kpollo@kpenvironmental.com'
Subject: Docket Nos. L-00000GG-08-0407-00139 and L-00000GG-08-0408-00140
Attachments: [Untitled].pdf

Attached is a copy of a letter to the Arizona Corporation Commission, Docket Control, submitting the Proof of Delivery forms showing that Transcript Volumes I and II were delivered to the referenced libraries in conformance with the August 6th procedural order.

Betty Jean Griffin, Secretary to
Thomas H. Campbell
Matthew G. Bingham and
Marjorie J. Haberman
Lewis and Roca LLP
40 N. Central Avenue
Phoenix, Arizona 85004
(602) 239-7424
BJGriffi@LRLaw.com

Haberman, Marjorie

From: Scott McCoy [smccoy@ECLLAW.COM]
Sent: Friday, September 05, 2008 2:32 PM
To: Michael Bailey; john.foreman@azag.gov; jalward@azcc.gov; chains@azcc.gov; avohra@azcc.gov; Campbell, Tom; Acken, Albert; edietrich@land.az.gov; Swene@lawms.com; ghays@lawgdh.com; jim.braselton@mwmf.com; gary.birnbaum@mwmf.com; Jdrazek@quarles.com; mdeblasi@quarles.com; rferland@quarles.com; Andy Moore; jguy@buckeyeaz.gov; crk@davidsonlaw.net; fed@davidsonlaw.net; shane.gosdis@dlapiper.com; mark.nadeau@dlapiper.com; susan.watson@dlapiper.com; tubaclawyer@aol.com; Cwelker@holmwright.com; sswakefield@rhhklaw.com; crich@roselawgroup.com; rhurley@roselawgroup.com; dcj@tblaw.com; jmp@tblaw.com; Steve Burg; mgrabel@pinnaclewest.com
Cc: Natalie Sharp
Subject: APS Line Siting / Case No. 138 / Notice of Filing- Exhibits E-1 through E-6
Attachments: Exhibits E1-E6.pdf

Please find attached Elliott Homes, Inc. Exhibits E1-E6.

Scott McCoy
Earl, Curley & Lagarde, P.C.
3101 N. Central Avenue
Suite 1000
Phoenix, Arizona 85012
602.265.0094
Fax: 602.265.2195

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Haberman, Marjorie

From: Scott McCoy [smccoy@ECLLAW.COM]

Sent: Friday, September 05, 2008 12:53 PM

To: Drazek, Joseph A.; Acken, Albert; Andy Moore; Ayesha Vohra; Chad Kaffer; Charles Hains; Christopher Welker; Court Rich; De Blasi, Michelle; Dustin Jones; Edward Dietrich; Fredrick Davidson; Garry Hays; Gary Birnbaum; James Braselton; Jay Moyes; Jeanine Guy; John Foreman; John Paladini; Lawrence Robertson, Jr.; Mark Nadeau; Meghan Grabel; Michael Bailey; Ryan Hurley; Scott Wakefield; Shane Gosdis; Stephen Burg; Steven Wene; Campbell, Tom

Subject: RE: Vistancia's Notice of Filing Exhibits

Joe-

I was unable to open your attachment. This is the message that appeared when I tried:

"Dear Recipient,

This mail is not complete because a part of it (body or attachment) violated GFI Content Security's Decompression Engine Module.

That mail has been quarantined and you will receive it if the administrator approves it.

Regards,

GFI Content Security
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Scott McCoy
Earl, Curley & Lagarde, P.C.
3101 N. Central Avenue
Suite 1000
Phoenix, Arizona 85012
602.265.0094
Fax: 602.265.2195

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From: Drazek, Joseph A. [mailto:JDRAZEK@quarles.com]

Sent: Friday, September 05, 2008 11:54 AM

To: Albert Acken; Andy Moore; Ayesha Vohra; Chad Kaffer; Charles Hains; Christopher Welker; Court Rich; De Blasi, Michelle; Drazek, Joseph A.; Dustin Jones; Edward Dietrich; Fredrick Davidson; Garry Hays; Gary Birnbaum; James Braselton; Jay Moyes; Jeanine Guy; John Foreman; John Paladini; Lawrence Robertson, Jr.; Mark Nadeau; Meghan Grabel; Michael Bailey; Ryan Hurley; Scott McCoy; Scott Wakefield; Shane Gosdis; Stephen Burg; Steven Wene; Thomas Campbell

Subject: Vistancia's Notice of Filing Exhibits

Please see attached.

Joseph A. Drazek



Quarles & Brady LLP
2 N. Central
Phoenix, Arizona 85004-2391

12/8/2008

Page 2 of 2

Direct Dial: (602) 229-5335
Direct Fax: (602) 420-5135
Cell phone:(602) 821-1322
E-mail: jdrazek@quarles.com

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12/8/2008

Haberman, Marjorie

From: Drazek, Joseph A. [JDRAZEK@quarles.com]
Sent: Friday, September 05, 2008 11:54 AM
To: Acken, Albert; Andrew Moore; Ayesha Vohra; Chad Kaffer; Charles Hains; Christopher Welker; Court Rich; De Blasi, Michelle; Drazek, Joseph A.; Dustin Jones; Edward Dietrich; Fredrick Davidson; Garry Hays; Gary Birnbaum; James Braselton; Jay Moyes; Jeanine Guy; John Foreman; John Paladini; Lawrence Robertson, Jr.; Mark Nadeau; Meghan Gabel; Michael Bailey; Ryan Hurley; Scott McCoy; Scott Wakefield; Shane Gosdis; Stephen Burg; Steven Wene; Campbell, Tom
Subject: Vistancia's Notice of Filing Exhibits
Attachments: Vistancia's Notice of Filing Exhibits.zip

Please see attached.

Joseph A. Drazek



Quarles & Brady LLP
2 N. Central
Phoenix, Arizona 85004-2391

Direct Dial: (602) 229-5335
Direct Fax: (602) 420-5135
Cell phone: (602) 821-1322
E-mail: jdrazek@quarles.com

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Haberman, Marjorie

From: Gosdis, Shane [Shane.Gosdis@dlapiper.com]
Sent: Thursday, September 04, 2008 11:17 AM
To: JIM BRASELTON; Griffin, Betty Jean; amoore@ecllaw.com; chains@azcc.gov; chrich@roselawgroup.com; crk@davidsonlaw.net; cwelker@holmwright.com; dcj@tblaw.com; GARY BIRNBAUM; ghays@lawgdh.com; hharpest@holmwright.com; jdrazek@quarles.com; jguy@buckeyeaz.gov; jimoyes@lawms.com; jmp@tblaw.com; john.foreman@azag.gov; Nadeau, Mark; mdeblasi@quarles.com; michael.bailey@surpriseaz.com; rferland@quarles.com; rhurley@roselawgroup.com; smccoy@ecllaw.com; sswakefield@rhhklaw.com; Steve Wene; steve.burg@peoriaaz.gov; Watson, Susan; TubacLawyer@aol.com
Cc: Campbell, Tom; Acken, Albert; michael.dewitt@aps.com
Subject: RE: Docket No. L-00000D-08-0330-00138
Attachments: Attachments.zip

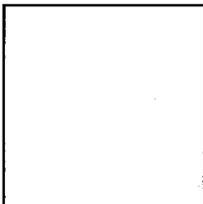
Here you go.

From: JIM BRASELTON [mailto:Jim.Braselton@mwmf.com]
Sent: Wednesday, September 03, 2008 3:04 PM
To: Gosdis, Shane; Griffin, Betty Jean; amoore@ecllaw.com; chains@azcc.gov; chrich@roselawgroup.com; crk@davidsonlaw.net; cwelker@holmwright.com; dcj@tblaw.com; GARY BIRNBAUM; ghays@lawgdh.com; hharpest@holmwright.com; jdrazek@quarles.com; jguy@buckeyeaz.gov; jimoyes@lawms.com; jmp@tblaw.com; john.foreman@azag.gov; Nadeau, Mark; mdeblasi@quarles.com; michael.bailey@surpriseaz.com; rferland@quarles.com; rhurley@roselawgroup.com; smccoy@ecllaw.com; sswakefield@rhhklaw.com; Steve Wene; steve.burg@peoriaaz.gov; Watson, Susan; TubacLawyer@aol.com
Cc: Campbell, Tom; Acken, Albert; michael.dewitt@aps.com
Subject: RE: Docket No. L-00000D-08-0330-00138

Yes, please send electronic copies .

From: Gosdis, Shane [mailto:Shane.Gosdis@dlapiper.com]
Sent: Wednesday, September 03, 2008 3:02 PM
To: Griffin, Betty Jean; amoore@ecllaw.com; chains@azcc.gov; chrich@roselawgroup.com; crk@davidsonlaw.net; cwelker@holmwright.com; dcj@tblaw.com; GARY BIRNBAUM; ghays@lawgdh.com; hharpest@holmwright.com; jdrazek@quarles.com; jguy@buckeyeaz.gov; JIM BRASELTON; jimoyes@lawms.com; jmp@tblaw.com; john.foreman@azag.gov; Nadeau, Mark; mdeblasi@quarles.com; michael.bailey@surpriseaz.com; rferland@quarles.com; rhurley@roselawgroup.com; smccoy@ecllaw.com; sswakefield@rhhklaw.com; Steve Wene; steve.burg@peoriaaz.gov; Watson, Susan; TubacLawyer@aol.com
Cc: Campbell, Tom; Acken, Albert; michael.dewitt@aps.com
Subject: RE: Docket No. L-00000D-08-0330-00138

Please advise whether you would like an electronic copy of additional exhibits that Intervenor 10,000 West LLC may use during next week's hearings. We will also make hard copies available at the hearings themselves.



Shane D. Gosdis

DLA Piper US LLP
2415 East Camelback Road, Suite 700
Phoenix, Arizona 85016-4245

480.606.5122 T
480.215.7857 M
shane.gosdis@dlapiper.com

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Thank you.

Haberman, Marjorie

From: JIM BRASELTON [Jim.Braselton@mwmf.com]
Sent: Friday, August 22, 2008 4:22 PM
To: Heather Harpest; John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; megan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; steve.burg@peoraaz.com; amoore@ecllaw.com; jmp@tblaw.com; ghays@lawgdh.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Griffin, Betty Jean; susan.watson@dlapiper.com
Cc: Chris Welker
Subject: RE: Case No. 138
Attachments: Sunhaven Joint Statement of Position.doc

Attached is the position statement of the Sunhaven Entities

From: Heather Harpest [mailto:HHarpest@HOLMWRIGHT.COM]
Sent: Friday, August 22, 2008 3:48 PM
To: John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; JIM BRASELTON; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; megan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; tcampbell@lrlaw.com; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; steve.burg@peoraaz.com; amoore@ecllaw.com; jmp@tblaw.com; ghays@lawgdh.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Griffin, Betty Jean; susan.watson@dlapiper.com
Cc: Chris Welker
Subject: Case No. 138

All:

Attached is LP 107, LLC's position statement.

Please contact me if you have any questions.

Heather Harpest
Assistant to Christopher S. Welker
Holm Wright Hyde & Hays PLC
10429 S. 51st Street, Suite 285
Phoenix, Arizona 85044
Tel: (480) 961-0040
Fax: (480) 961-0818

Haberman, Marjorie

From: JIM BRASELTON [Jim.Braselton@mwmf.com]
Sent: Friday, August 22, 2008 4:21 PM
To: Heather Harpest; John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; meghan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; steve.burg@peoraaz.com; amoore@ecllaw.com; jmp@tblaw.com; ghays@lawgdh.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Griffin, Betty Jean; susan.watson@dlapiper.com
Cc: Chris Welker
Subject: RE: Case No. 138
Attachments: Surprise Grant Vista JV Statement of Positions.doc

Attached is Surprise Grand Vista's position statement.

From: Heather Harpest [mailto:HHarpest@HOLMWRIGHT.COM]
Sent: Friday, August 22, 2008 3:48 PM
To: John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; JIM BRASELTON; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; meghan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; tcampbell@lrlaw.com; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; steve.burg@peoraaz.com; amoore@ecllaw.com; jmp@tblaw.com; ghays@lawgdh.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Griffin, Betty Jean; susan.watson@dlapiper.com
Cc: Chris Welker
Subject: Case No. 138

All:

Attached is LP 107, LLC's position statement.

Please contact me if you have any questions.

Heather Harpest
Assistant to Christopher S. Welker
Holm Wright Hyde & Hays PLC
10429 S. 51st Street, Suite 285
Phoenix, Arizona 85044
Tel: (480) 961-0040
Fax: (480) 961-0818

Haberman, Marjorie

From: Heather Harpest [HHarpest@HOLMWRIGHT.COM]
Sent: Friday, August 22, 2008 3:48 PM
To: John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; Jim.braselton@mwmf.com; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; megan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; steve.burg@peoraaz.com; amoore@ecllaw.com; jmp@tblaw.com; ghays@lawgdh.com; fed@davidsonlaw.net; crk@davidsonlaw.net; jguy@buckeyeaz.gov; Griffin, Betty Jean; susan.watson@dlapiper.com
Cc: Chris Welker
Subject: Case No. 138
Attachments: 08.22.08 Position Statement.pdf

All:

Attached is LP 107, LLC's position statement.

Please contact me if you have any questions.

Heather Harpest
Assistant to Christopher S. Welker
Holm Wright Hyde & Hays PLC
10429 S. 51st Street, Suite 285
Phoenix, Arizona 85044
Tel: (480) 961-0040
Fax: (480) 961-0818

Haberman, Marjorie

From: Natalie Sharp [nsharp@ECLLAW.COM]
Sent: Friday, August 22, 2008 2:20 PM
To: John.foreman@azag.gov; edietrich@land.az.gov; Jim.braselton@mwmf.com; tubaclawyer@aol.com; steve.burg@peoriaaz.gov; megan.grabel@pinnaclewest.com; crich@roselawgroup.com; Campbell, Tom; mdeblasi@quarles.com; jdrazek@quarles.com; Mark.nadeau@dlapiper.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; sswakefield@rhhklaw.com; Scott McCoy
Cc: Andy Moore
Subject: CASE-138: WOODSIDE HOMES POSITION STATEMENT
Attachments: Scanned Position Statement.pdf

Please find attached the Woodside Homes Position Statement in the above-referenced proceeding.

Thank you,

Natalie Sharp
Assistant to Andy Moore
Earl Curley & Lagarde, P.C.
3101 N. Central Avenue
Suite 1000
Phoenix, AZ 85012

Haberman, Marjorie

From: Natalie Sharp [nsharp@ECLLAW.COM]
Sent: Friday, August 22, 2008 10:26 AM
To: John.foreman@azag.gov; edietrich@land.az.gov; Jim.braselton@mwmf.com; tubaclawyer@aol.com; steve.burg@peroriaaz.gov; megan.grabel@pinnaclewest.com; crich@roselawgroup.com; Campbell, Tom; mdeblasi@quarles.com; jdrazek@quarles.com; Shane.gosdis@dlapiper.com; mark.nadeau@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com; sswakefield@rhhklaw.com; Andy Moore
Cc: Scott McCoy
Subject: CASE-138: ELLIOTT HOMES POSITION STATEMENT
Attachments: Position Statement.pdf

Please find attached ELLIOTT HOMES Position Statement in the above-referenced proceeding.

Thank you,

Natalie Sharp
Assistant to Andy Moore & Scott McCoy
Earl Curley & Lagarde, P.C.
3101 N. Central Avenue
Suite 1000
Phoenix, AZ 85012

Haberman, Marjorie

From: Debra F. Polich [DFPolich@rhhklaw.com] on behalf of Scott S. Wakefield [SSWakefield@rhhklaw.com]
Sent: Thursday, August 21, 2008 2:09 PM
To: john.foreman@azag.gov; edietrich@land.az.gov; jim.braselton@mwmf.com; gary.birnbaum@mwmf.com; tubaclawyer@aol.com; steve.burg@peoriaaz.gov; meghan.grabel@pinnaclewest.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; amoore@ecllaw.com; jmp@tblaw.com; mdeblasi@quarles.com; jdrazek@quarles.com; shane.gosdis@dlapiper.com; mark.nadeau@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; michael.bailey@surpriseaz.com; fed@davidsonlaw.net; crk@davidsonlaw.net; cwelker@holmwright.com; jguy@buckeyeaz.com
Subject: DLGC & Lake Pleasant Group's Filing of Positions on Segments and Alternatives
Attachments: Filing of Positions_v1.DOC

<<Filing of Positions_v1.DOC>>

Haberman, Marjorie

From: Campbell, Tom
Sent: Thursday, August 07, 2008 4:42 PM
To: 'TubacLawyer@aol.com'; John.Foreman@azag.gov
Cc: CHains@azcc.gov; mark.nadeau@dlapiper.com; Steve.Burg@peoriaaz.gov; mdeblasi@quarles.com; michael.bailey@surpriseaz.com; JIMoyes@LAWMS.COM; SWakefield@azruco.gov; SWene@LAWMS.COM; CRich@roselawgroup.com; smccoy@ecllaw.com; ghays@lawgdh.com; jim.braselton@mwmf.com; Acken, Albert; Meghan.Grabel@pinnaclewest.com; Michael.Dewitt@aps.com
Subject: RE: APS TS5-TS9 Route tour

Larry,

The yellow line on the map indicates the actual route that we will be driving. As you will see, it does include SR 74 in front of your client's property.

Tom

From: TubacLawyer@aol.com [mailto:TubacLawyer@aol.com]
Sent: Wednesday, August 06, 2008 9:40 AM
To: John.Foreman@azag.gov
Cc: CHains@azcc.gov; mark.nadeau@dlapiper.com; Steve.Burg@peoriaaz.gov; mdeblasi@quarles.com; michael.bailey@surpriseaz.com; JIMoyes@LAWMS.COM; SWakefield@azruco.gov; SWene@LAWMS.COM; CRich@roselawgroup.com; smccoy@ecllaw.com; ghays@lawgdh.com; jim.braselton@mwmf.com; Acken, Albert; Meghan.Grabel@pinnaclewest.com; Michael.Dewitt@aps.com; Campbell, Tom
Subject: Re: APS TS5-TS9 Route tour

Chairman Foreman,

This email is in response to the proposed Route Tour suggested by Tom Campbell in his email to you of yesterday.

As I indicated in the Request For Leave To Intervene filed upon behalf of Diamond Ventures in Siting Case No. 138, Diamond Ventures currently anticipates collaborating with at least two (2) other parties in presenting an evidentiary case which will propose a specific transmission line route north of SR 74 in the area encompassed by Arizona Public Service Company's ("APS") Alternative Route 3. Those two (2) other parties are the City of Peoria and Vistancia.

In reviewing the "Physical Route Tour Stop/Point Description" transmitted to you and the parties by Mr. Campbell, it is unclear as to whether APS is proposing that the Route Tour include driving along SR 74 in the area encompassed by Alternative Route 3. In that regard, in discussing Stop 7, the description provided by Mr. Campbell indicates that Stop 7

"...is also the point of origin for Alternative Route 3. Alternative Route 3 would follow SR 74 east from this point."

However, there is no indication as to whether the proposed Route Tour includes driving SR 74 in an easterly direction from Stop 7 to the easterly end point of APS' Alternative Route 3.

Against the above background, Diamond Ventures would like to suggest for your consideration that the Route Tour include driving along SR 74 in the area encompassed by Alternative Route 3. Inclusion of this portion of SR 74 would allow the members of the Siting Committee to personally observe the topography and vegetation north of SR 74, which they would then have as background in connection with their consideration of the transmission route north of SR 74 which will be proposed by the City of Peoria, Vistancia and Diamond Ventures in the forthcoming hearings in Siting Case No. 138.

Thank you in advance for your consideration of this request.

Larry Robertson

In a message dated 8/5/2008 3:27:26 PM US Mountain Standard Time, TCampbel@lrlaw.com writes:

12/8/2008

Chairman Foreman,

Attached is a proposed route tour including a map and a proposed tour protocol for the APS TS5-TS9 project.

The applicant has scheduled a meet and confer with intervenor counsel for August 11 at 10:30 in our office pursuant to paragraph 5 of your procedural order. We will report to you on the results of our meeting at the 1:30 procedural conference that afternoon.

Intervenor counsel, for those who cannot attend the meet and confer in person, the call-in number is 1-866-496-2887. The bridge code is 5723#.

Tom Campbell

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Haberman, Marjorie

From: Heather Harpest [HHarpest@HOLMWRIGHT.COM]
Sent: Thursday, August 07, 2008 3:38 PM
To: John.foreman@azag.gov; sswakefield@rhhklaw.com; edietrich@land.az.gov; Jim.braselton@mwmf.com; tubaclawyer@aol.com; Cityattorney@peoriaaz.gov; megan.grabel@pinnaclewest.com; rpizorno@beusgilbert.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; mdeblasi@quarles.com; Shane.gosdis@dlapiper.com; swene@lawms.com; ghays@lawgdh.com; Michael.bailey@surpriseaz.com
Cc: Chris Welker
Subject: APS Hearing
Attachments: 08.07.08 Motion to Intervene.PDF

All:

Attached is LP 107, LLC's Request for Leave to Intervene and Participate as a Party before the Arizona Power Plant and Transmission Line Siting Committee.

Please contact this office if you have any questions.

Heather Harpest
Assistant to Christopher S. Welker
Holm Wright Hyde & Hays PLC
10429 S. 51st Street, Suite 285
Phoenix, Arizona 85044
Tel: (480) 961-0040
Fax: (480) 961-0818

Haberman, Marjorie

From: Debra F. Polich [DFPolich@rhhklaw.com]
Sent: Thursday, July 31, 2008 1:46 PM
To: john.foreman@azag.gov
Cc: edietrich@land.az.gov; jim.braselton@mwmf.com; tubaclawyer@aol.com; city.attorney@peoriaaz.gov; mgrabel@pinnaclewest.com; rpizorno@buesgilbert.com; crich@roselawgroup.com; Campbell, Tom; smccoy@ecllaw.com; mdeblasi@quarles.com; shane.gosdis@dspiper.com; swene@lawms.com; ghays@lawgdh.com; michael.bailey@surpriseaz.com
Subject: Request for Leave to Intervene & Participate as a Party - SSWakefield of Ridenour, Hienton, Kelhoffer & Lewis
Attachments: 20080731133913770

Haberman, Marjorie

From: Campbell, Tom
Sent: Wednesday, July 02, 2008 1:45 PM
To: 'AZRS'; Teresa Martin-Potts
Cc: John Foreman; Griffin, Betty Jean; Michael.Dewitt@aps.com; 'Meghan.Grabel@pinnaclewest.com'; Haberman, Marjorie; Acken, Albert
Subject: RE: Initial Procedural Order - TS 5 to TS 9 (case 138)

Marta,

APS will want the 3-day expedited transcription. Thank you.

Tom

From: AZRS [mailto:azrs@az-reporting.com]
Sent: Wednesday, July 02, 2008 1:40 PM
To: Teresa Martin-Potts
Cc: John Foreman; Griffin, Betty Jean; Campbell, Tom
Subject: RE: Initial Procedural Order - TS 5 to TS 9 (case 138)

Hello, Terri

We will add August 11, 2008 at 1:30 p.m. for the Prehearing Conference. We will confirm with you the day before as to whether or not you wish for us to preserve the record at this conference.

We will stand by to hear from APS as to whether or not they wish for us to prepare a 3-day expedited final transcription of the proceedings to comply with A.R.S. §38-431.01 D, or they prefer to have an audio recording satisfy these requirements.

We are all looking forward to working with Chairman Foreman and continuing to work with you.

Thank you very much for the information.

Marta T. Hetzer / Administrator

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12/8/2008

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From: Teresa Martin-Potts [mailto:Teresa.Martin-Potts@azag.gov]
Sent: Wednesday, July 02, 2008 1:12 PM
To: AZRS
Cc: John Foreman; Betty Griffin; Thomas Campbell, Esq.
Subject: Initial Procedural Order - TS 5 to TS 9 (case 138)

Hi Marta - Chairman John Foreman has opted to issue an initial procedural order in this matter as opposed to issuing an initial letter to applicant which you have seen with prior line siting cases. I am sending this procedural order, filed this date, to your attention so that you are aware of an upcoming pre-hearing procedural conference in the event Tom Campbell opts to have your court reporter present. Please refer to paragraph 18 for the date and time - FYI - and keep this date on your calendar.

Either Tom Campbell or I will confirm or cancel at a later date. Please phone me if you have any questions.

Terri - 7/2 (602-542-7751)

Haberman, Marjorie

From: Teresa Martin-Potts [Teresa.Martin-Potts@azag.gov]
Sent: Wednesday, July 02, 2008 1:16 PM
To: Lawrence Robertson, Jr., Esq.; Arizona Reporting Service, Inc.; Charles Hains; Robert Pizorno; Mark Nadeau; Charles & Sharie Civer; Scott McCoy; Edward Dietrich; Griffin, Betty Jean; Campbell, Tom; Jim Braselton; Steve Burg; Michelle De Blasi, Esq.; Court S. Rich, Esq.
Subject: TS-5 to TS-9, case no. 138
Attachments: PHX-#237720-v1-TS5_TO_TS9_INITIAL_PROCEDURAL_ORDER_-_CASE_138.DOC

Dear Parties:

Attached is an initial procedural order setting forth a pre-hearing conference in the above-entitled matter. Please refer to paragraph 18 as to the date, time and location of this pre-hearing conference.

If you have any questions or need additional information, please contact me. Thank you.

Terri - 7/2/08 (602-542-7751)

Haberman, Marjorie

From: Teresa Martin-Potts [Teresa.Martin-Potts@azag.gov]
Sent: Wednesday, July 02, 2008 12:59 PM
To: Lawrence Robertson, Jr., Esq.; Arizona Reporting Service, Inc.; Charles Hains; Robert Pizorno; Mark Nadeau; Charles & Sharie Civer; Scott McCoy; Edward Dietrich; Griffin, Betty Jean; Campbell, Tom; Jim Braselton; Steve Burg; Michelle De Blasi, Esq.; Court S. Rich, Esq.
Subject: TS 5 to TS 9 Notice of Hearing
Attachments: 20080702122433696.pdf

Dear Parties, Committee Members and Arizona Reporting Service:

Attached is the notice of hearing filed with Docket Control this date relating to the TS-5 to TS-9 transmission line project, case no. 138.

If you have any questions or need this notice sent to you in an alternative format, please advise.

Thank you.

Terri - 7/2/08 (602-542-7751)