

ORIGINAL

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EXCEPTION

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AZ CORP COMMISSION
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Arizona Corporation Commission

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MAR 25 2009

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BEFORE THE ARIZONA CORPORATION COMMISSION

9 IN THE MATTER OF THE APPLICATION
 10 OF AJO IMPROVEMENT COMPANY FOR
 11 APPROVAL OF AN EXTENSION OF ITS
 12 CERTIFICATE OF ENVIRONMENTAL
 13 COMPATIBILITY TO BUILD A
 14 TRANSMISSION LINE FROM GILA BEND
 15 TO AJO

DOCKET NO: L-00000G-97-0089

Exceptions of Ajo Improvement Company in Support of the Recommended Opinion and Order and Request for Clarification

14 Pursuant to A.A.C. Rule R14-3-110, Ajo Improvement Company ("Ajo") hereby
 15 submits the following Exceptions to the Recommended Opinion and Order (the "ROO")
 16 of the Arizona Corporation Commission Staff ("Staff") issued on March 12, 2009 in this
 17 proceeding. Ajo supports the ROO, but requests clarification of Finding of Fact No. 22.1.,
 18 which provides as follows:

- 19 1. Within 120 days of the Commission decision granting this Certificate,
 20 Applicant, or its assignee(s), will post signs in public rights-of-way giving
 21 notice of the Project corridor to the extent authorized by law. The
 22 Applicant, or its assignee(s), shall place signs in prominent locations at
 23 reasonable intervals such that the public is notified along the full length of
 24 the transmission line until the transmission structures are constructed. To
 25 the extent practicable, with [sic] 45 days of securing easement or right-of-
 26 way for the Project or the Decision in this case, whichever is later, the

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Applicant, or its assignee(s), shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The sign shall advise:

- i That the site has been approved for construction of Project facilities;
- ii The expected date of completion of the Project facilities;
- iii A phone number for public information regarding the Project;
- iv The name of the Project;
- v The name of the Applicant, or its assignee(s); and
- vi The website of the Applicant, or its assignee(s)

The clarification is whether the condition requires the posting of two, separate signs, one "within 120 days of the Commission decision granting this Certificate" and one "to the extent practicable, with [sic] 45 days of securing easement or right-of-way for the Project or the Decision in this case, whichever is later"

Ajo recommends that the condition be modified to read as follows:

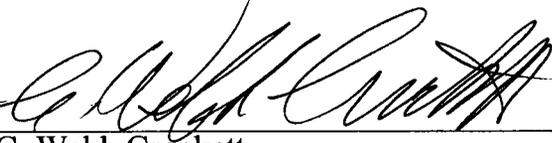
- 1. Within 120 days of the Commission decision granting this Certificate, or to the extent practicable within 45 days of securing easement or right-of way for the Project in this case, whichever is later, the Applicant, or its assignee(s), shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The sign shall advise:

- i That the site has been approved for construction of Project facilities;
- ii The expected date of completion of the Project facilities;
- iii A phone number for public information regarding the Project;
- iv The name of the Project;
- v The name of the Applicant, or its assignee(s); and
- vi The website of the Applicant, or its assignee(s)

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Ajo again states its support of the ROO with the above clarification.
RESPECTFULLY SUBMITTED this 25th day of March 2009.

FENNEMORE CRAIG

By 
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ORIGINAL and **25 copies**
of the foregoing, were filed
this 25th day of March 2009 with:

Docket Control Division
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COPY of the foregoing **HAND-DELIVERED**
this 25th day of March 2009 to:

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By: 