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**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE**

1  
2 IN THE MATTER OF THE APPLICATION OF )  
3 SOUTHWEST TRANSMISSION COOPERATIVE, ) Arizona Corporation Commission  
4 INC., OR ITS ASSIGNEES, IN CONFORMANCE )  
5 WITH THE REQUIREMENTS OF ARIZONA ) Docket No. L-00000CC-09-0158-00142  
6 REVISED STATUTES §§ 40-360, *et seq.*, FOR A )  
7 CERTIFICATE OF ENVIRONMENTAL ) Case No. 142  
8 COMPATIBILITY AUTHORIZING THE )  
9 CONSTRUCTION OF THE SAN MANUEL )  
10 INTERCONNECT PROJECT LOCATED IN THE )  
11 VICINITY OF SAN MANUEL IN PINAL COUNTY, )  
12 ARIZONA. ) **NOTICE OF FILING**  
13 )  
14 ) **E-MAIL COMMUNICATION**  
15 )

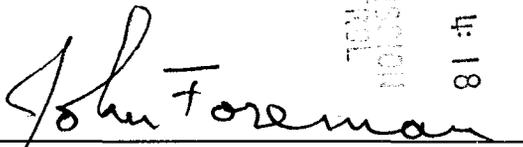
16 Pursuant to the Procedural Order filed on April 8, 2009, the Chairman of the Arizona Power  
17 Plant and Transmission Line Siting Committee is providing notice of filing the following  
18 e-mail communications that have occurred between the Parties to this case and the  
19 Chairman, up to this date.

20 DATED: April 8, 2009

21 Arizona Corporation Commission  
22 **DOCKETED**

23 APR - 8 2009

24 DOCKETED BY 

25 

26 John Foreman, Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
Assistant Attorney General  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

RECEIVED  
2009 APR - 8 P 4: 18  
AZ AG ATTORNEY GENERAL  
DOCKET CONTROL

1 Pursuant to A.A.C. R14-3-204,  
2 The Original and 25 copies were  
3 filed April 8, 2009 with:

4 Docket Control  
5 Arizona Corporation Commission  
6 1200 W. Washington St.  
7 Phoenix, AZ 85007

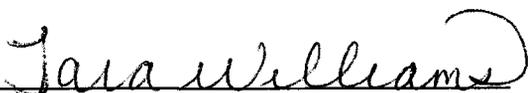
8 Copy of the above was mailed  
9 this 8<sup>th</sup> day of April, 2009 to:

10 Robin Mitchell  
11 Janice Alward, Chief Counsel  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, AZ 85007  
15 Counsel for Legal Division Staff

16 Michael M. Grant  
17 Gallagher and Kennedy, P.A.  
18 2575 East Camelback Road  
19 Suite 1100  
20 Phoenix, AZ 85016  
21 Counsel for Applicant, SW Transco

22 Marta T. Hetzer  
23 Arizona Reporting Service, Inc.  
24 2200 North Central Avenue  
25 Phoenix, Arizona 85004-1481

26

By:   
Tara Williams

**From:** Tara Williams  
**To:** rmittchell@azcc.gov  
**Date:** 3/6/2009 8:09 AM  
**Subject:** Line Siting Pe-Application Meeting Scheduled

Good Morning,

This e-mail is in confirmation of the Pre-Application Meeting, which we were informed you would be attending. It is scheduled for 10:00 am on Monday, March 9th at 1275 West Washington.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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**From:** "Robin Mitchell" <RMitchell@azcc.gov>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 3/6/2009 8:10 AM  
**Subject:** Out of Office AutoReply: Line Siting Pe-Application Meeting Scheduled

I will be out of the office March 6, 2009 returning Monday, March 9, 2009. If you need assistance, please contact Ashley Hodge, AHodge@azcc.gov, 602-542-6373 or Monica Martinez at 602-542-6036; MMartinez@azcc.gov or our main number at 602-542-3402.

=====  
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**From:** Tara Williams  
**To:** Michael M. Grant; PLP@gknet.com  
**Date:** 3/6/2009 10:12 AM  
**Subject:** RE: Southwest Transmission Cooperative - San Manuel Interconnect Project CEC Application

Thank you for the details. Judge Foreman is out of the office today, but I will inform him of the possibilities prior to the meeting on Monday.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "Grant, Michael M." <MMG@gknet.com> 3/6/2009 10:08 AM >>>  
Tara: Just to clarify a couple of points. The Saddlebrook facility is actually north of Tucson, near the intersection of State Highways 77 and 79. If we wanted to use that facility, we can schedule a second day of hearing--it just can't be two consecutive days because of other demands on the facility. Second, we intend to file the application toward the end of the week of March 16. However, by the time the notice is given, that will probably place the initial hearing window in the late April-late May time frame. Thanks for your help. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com) <<mailto:mmg@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

Attorney Profile <<http://www.gknet.com/attorneyprofile.aspx?id=55>>

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e-mail and then delete this message. Thank you.

---

From: Pearsall, Peri L.  
Sent: Friday, March 06, 2009 9:56 AM  
To: Tara Williams ([tara.williams@azag.gov](mailto:tara.williams@azag.gov))  
Cc: Grant, Michael M.  
Subject: Southwest Transmission Cooperative - San Manuel Interconnect Project CEC Application

Tara, to recap our telephone conversation this morning, following are some of the things Mike hopes to discuss with Judge Foreman on Monday.

San Manuel is a remote area. If Judge Foreman chooses to hold the hearing in that area rather than in Phoenix, the closest place is the Saddlebrooke Mountain View Country Club, about 25 miles away in Tucson. The Country Club is fairly busy but is willing to move some of their already scheduled events to accommodate us on blocks of one day (i.e., if the hearing were to take two consecutive days, we would need to hold it elsewhere). Mike believes that one day will probably be sufficient. The next closest location is the Hilton Tucson El Conquistador, which is 35 miles from San Manuel.

We anticipate filing the CEC application around the end of March, which would put the hearing sometime in May. We are available anytime in May, except May 4-6 and May 20-22.

Please let me know if you need additional information. Thank you.

Peri

Peri L. Pearsall  
Assistant to Michael M. Grant  
and James G. Busby, Jr.

Gallagher & Kennedy, P.A.  
2575 E. Camelback Rd., Suite 1100  
Phoenix, Arizona 85016-9225

Phone: 602-530-8402  
Fax: 602-530-8500  
E-mail: [plp@gknet.com](mailto:plp@gknet.com) <<mailto:plp@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

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e-mail and then delete this message. Thank you.

**From:** "Grant, Michael M." <MMG@gknet.com>  
**To:** <tara.williams@azag.gov>, "Robin Mitchell" <RMitchell@azcc.gov>  
**Date:** 3/20/2009 11:04 AM  
**Subject:** Final Draft of Notice on SWTC's San Manuel Interconnect Project  
**Attachments:** Document.pdf

Tara (for Judge Foreman) and Robin: Good morning. As we discussed at last week's pre-filing conference, enclosed is a final draft on the Notice of Hearing. It revises will to "may" on the public comment bold language and adds the dates, times and location for the hearing at the Hilton Tucson in the first paragraph. We are finalizing the application and will file next Friday. At that time, we'll also deliver this to Judge Foreman for his signature and then take steps to publish and mail in accordance with the statutes and rules requirements. Please let me know if you have any comments and thanks for your assistance. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com) <<mailto:mmg@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

Attorney Profile <<http://www.gknet.com/attorneyprofile.aspx?id=55>>

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1 **BEFORE THE ARIZONA POWER PLANT**  
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION OF  
4 SOUTHWEST TRANSMISSION COOPERATIVE,  
5 INC., OR ITS ASSIGNEES, FOR A CERTIFICATE  
6 OF ENVIRONMENTAL COMPATIBILITY FOR  
7 THE SAN MANUEL INTERCONNECT PROJECT  
8 LOCATED IN THE VICINITY OF SAN MANUEL  
9 IN PINAL COUNTY, ARIZONA

Docket No. L- \_\_\_\_\_

Case No. \_\_\_\_\_

8 **NOTICE OF HEARING**

9 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line  
10 Siting Committee ("Committee") regarding the Application of Southwest Transmission  
11 Cooperative, Inc. ("Applicant") for a Certificate of Environmental Compatibility authorizing the  
12 230-kV San Manuel Interconnect Project ("Project") in Pinal County, Arizona. The hearing will  
13 be held at the Hilton Tucson El Conquistador, 10000 North Oracle Road, Tucson,  
14 Arizona 85704. The hearing shall begin at 10:00 a.m. on May 12, 2009 and continue at  
15 9:00 a.m. on May 13, 2009, if necessary. The hearing will adjourn at approximately 5:00 p.m.  
16 Additional hearing days, if necessary, will be noticed on the Project and  
17 Arizona Corporation Commission ("ACC") websites. The Applicant's Project website  
18 can be found at [www.southwesttransmission.coop](http://www.southwesttransmission.coop). The ACC website is:  
19 [www.azcc.gov/AZ\\_Power\\_Plant/LineSiting-Calendar.asp](http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp).

15 **PUBLIC COMMENT MAY BE TAKEN AT THE BEGINNING OF EACH HEARING  
16 DAY.**

17 The Project consists of approximately 4.5 miles of double-circuit 230-kV line which initially will  
18 be energized at 115 kV connecting the existing Apache to Hayden transmission line to the  
19 existing APS San Manuel Substation. A general location map of the Project area and the  
20 proposed route is set forth below.

21 Beginning at the Apache to Hayden 115-kV transmission line, the new line will extend about one  
22 mile in a southwesterly direction to River Road. The line then will run approximately one mile  
23 to BHP property and then 2.5 miles to the San Manuel Substation, which is north of the town of  
24 San Manuel.

25 More complete maps, along with more detailed textual descriptions of the proposed routes are  
26 available in the Application itself and on the Project website. The Application, including  
27 detailed maps of the proposed Project, is on file with the Docket Control Center of the Arizona  
28 Corporation Commission, 1200 West Washington Street, Suite 108, Phoenix, Arizona 85007.

1 Depending on the issues raised and the number of intervenors appearing during the hearing, the  
2 Committee may deem it appropriate at some point to recess the hearing to a time and place to be  
3 announced during the hearing, or to be determined after the recess. These dates and places will  
be posted on the Project and ACC websites. At the discretion of the Committee, such resumed  
hearings may be held at a date, time and place designated by the Committee or its Chairman.

4 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN. PUBLISHED**  
5 **NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

6 Each county and municipal government and state agency interested in the proposed Project and  
7 desiring to become a party to the proceeding, shall, not less than ten (10) days before the date set  
for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West  
Washington Street, Phoenix, Arizona 85007, a notice of its intent to be a party.

8 Any domestic, non-profit corporation or association, formed in whole or in part to promote  
9 conservation of natural beauty, to protect the environment, personal health or other biological  
values, to preserve historical sites, to promote consumer interests, to represent commercial and  
10 industrial groups or to promote the orderly development of the area in which the Project is to be  
located and desiring to become a party to the certification proceeding, shall, not less than ten (10)  
11 days before the date set for hearing, file with the Director of Utilities, Arizona Corporation  
Commission, 1200 West Washington Street, Phoenix, Arizona 85007, a notice of its intent to be  
a party.

12 The Committee or its Chairman, at any time deemed appropriate, may make other persons parties  
13 to the proceedings.

14 Any person may make a limited appearance at the hearing by filing a statement in writing with  
the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street,  
15 Phoenix, Arizona 85007, not less than five (5) days before the date set for hearing. A person  
making a limited appearance shall not be a party or have the right to present testimony or cross-  
16 examine witnesses.

17 This proceeding is governed by Arizona Revised Statutes ("A.R.S.") §§ 40-360 to 40-360.13 and  
18 Arizona Administrative Code Rules R14-3-201 to R14-3-220 and R14-3-113. No substantive  
communication, not in the public record, may be made to any member of the Committee. The  
written decision of the Committee shall be submitted to the Arizona Corporation Commission  
19 pursuant to A.R.S. § 40-360.07. Any person intending to be a party before the Arizona  
Corporation Commission must be a party to the certification proceedings before the Committee.

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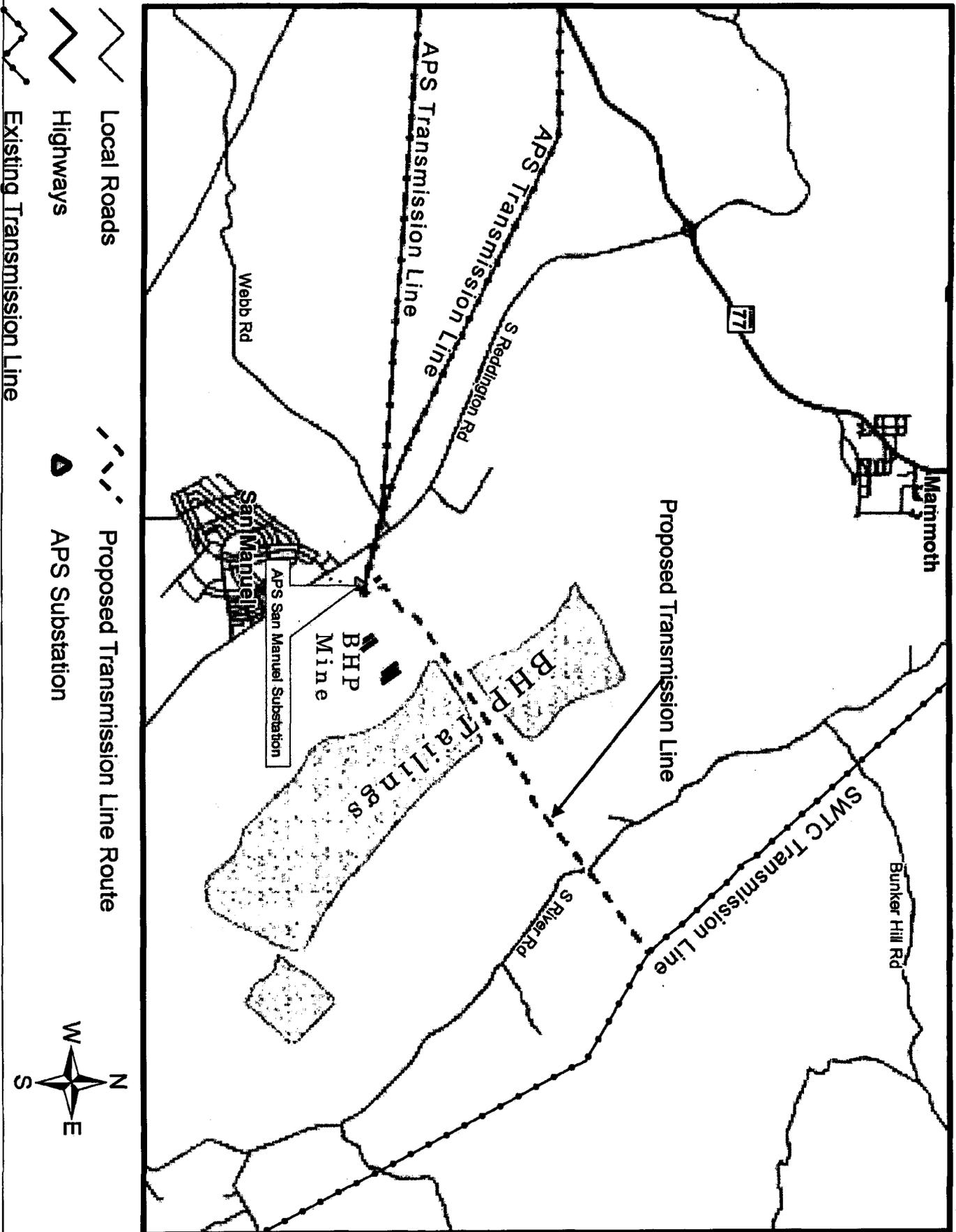
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DATED this \_\_\_\_ day of \_\_\_\_\_.

---

Hon. John Foreman, Chairman  
Arizona Power Plant and  
Transmission Line Siting Committee  
Assistant Attorney General



-  Local Roads
-  Highways
-  Existing Transmission Line
-  Proposed Transmission Line Route
-  APS Substation



**From:** "Grant, Michael M." <MMG@gknet.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 3/20/2009 11:09 AM  
**Subject:** RE: Final Draft of Notice on SWTC's San Manuel Interconnect Project

Thanks Tara and have a good weekend. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com)  
Web site: [www.gknet.com](http://www.gknet.com)

Attorney Profile

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-----Original Message-----

**From:** Tara Williams [<mailto:Tara.Williams@azag.gov>]  
**Sent:** Friday, March 20, 2009 11:08 AM  
**To:** Grant, Michael M.  
**Subject:** Re: Final Draft of Notice on SWTC's San Manuel Interconnect Project

Thank you, Mr. Grant. Judge Foreman is out of the office today, but I will give him this information on Monday.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
[tara.williams@azag.gov](mailto:tara.williams@azag.gov)

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>>> "Grant, Michael M." <MMG@gknet.com> 3/20/2009 11:02 AM >>>  
Tara (for Judge Foreman) and Robin: Good morning. As we discussed at last week's pre-filing conference, enclosed is a final draft on the Notice of Hearing. It revises will to "may" on the public comment bold language and adds the dates, times and location for the hearing at the Hilton Tucson in the first paragraph. We are finalizing the application and will file next Friday. At that time, we'll also deliver this to Judge Foreman for his signature and then take steps to publish and mail in accordance with the statutes and rules requirements. Please let me know if you have any comments and thanks for your assistance. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com) <<mailto:mmg@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

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**From:** "Grant, Michael M." <MMG@gknet.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 3/23/2009 12:00 PM  
**Subject:** RE: Notice of Hearing

Tara: Thanks. I will confirm that with Robin Mitchell. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com)  
Web site: [www.gknet.com](http://www.gknet.com)

Attorney Profile

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-----Original Message-----

**From:** Tara Williams [<mailto:Tara.Williams@azag.gov>]  
**Sent:** Monday, March 23, 2009 11:44 AM  
**To:** Grant, Michael M.  
**Cc:** Peri Pearsall  
**Subject:** Notice of Hearing

Mr. Grant,

Judge Foreman asked me to inform you that he is fine with the final draft of the Notice of Hearing that you sent as long as Commission Staff approves it as well.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377

tara.williams@azag.gov

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**From:** Tara Williams  
**To:** Pearsall, Peri  
**Date:** 3/23/2009 11:50 AM  
**Subject:** Notice of Hearing

Peri,  
I mistyped your e-mail address in my last e-mail. The e-mail I sent to you and Mr. Grant is as follows:

Mr. Grant,

Judge Foreman asked me to inform you that he is fine with the final draft of the Notice of Hearing that you sent as long as Commission Staff approves it as well.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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**From:** "Janice Alward" <JAlward@azcc.gov>  
**To:** "John Foreman" <John.Foreman@AZAG.GOV>  
**Date:** 3/25/2009 1:20 PM  
**Subject:** comments on draft generic siting procedural order

**CC:** "Grant, Michael M." <MMG@gknet.com>, "Campbell, Tom" <TCampbel@lrlaw.com>

As you requested, this email shares some thoughts on the draft generic siting procedural order. These comments may not be exhaustive as suggestions for the draft generic procedural order, so I am including Mike and Tom. They may have comments on these thoughts and the generic draft order as well, before they file their applications and procedural orders are issued in their upcoming siting matters.

Paragraph 6. around Lines 18-20. Is there additional punctuation that would make this clearer. Is the "procedural matters" part relating to all that follows, up to the end of the sentence.

Paragraph 7. This might create an impression that others besides staff and applicant are excluded from comment on the agenda. It might also create an impression that staff is in a role as legal advisor to the committee, because of the OM compliance part of para 7. That does not seem to be an appropriate role for staff since it is a party when it intervenes, and also, it doesn't have the resources. That role seems best suited to OMLET, and it would seem appropriate for OM law compliance matters to be run by OMLET, as well as seeking input from all parties. And, even if an objection or comment is inadvertently overlooked by the parties, it would not seem to preclude an issue being raised under the OM law.

Paragraph 11. line 26. following "Commission", it looks like "Staff" should be inserted.

Paragraph 14. around lines 13 and 14. Members of the public having "reasonable access" may not be consistent with the OM law which appears to require meetings to be open to the public. OMLET may have a view on this that might be helpful in phrasing this. The last part of this paragraph refers to members of the public notifying Commission Staff in the alternative. If Staff is not a party this may be confusing to the public, and even if a party, it would not appear that its role is the same as the applicant here, particularly if staff does not attend a tour which is often the case.

Paragraph 20. It would seem that the Committee makes the decision on the specific wording of the CEC when it votes, so besides typos, it does not appear that there should be disputes on language after the committee make its decision. Maybe this paragraph could be rephrased to clear up any impression that somehow the parties can modify what the committee determined. On the part that refers to objections or suggestions being waived, 40-360.07 would seem to trump, because it provides for requests for review to raise objections after the entry of the siting committee decision.

It is also noted that Mike's and Tom's applications have yet to be filed and procedural orders have not yet been issued. These comments are general and not related to any particular case or order, since the draft procedural order is apparently a generic document.

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**From:** "AZRS" <azrs@az-reporting.com>  
**To:** "Pearsall, Peri L." <PLP@gknet.com>  
**Date:** 3/25/2009 1:55 PM  
**Subject:** RE: Garkane Energy Cooperative - CEC Application

**CC:** "Williams, Tara" <Tara.Williams@azag.gov>, "Shaylin A. Bernal" <SABernal...  
**TO:** Peri Pearsall

Legal Assistant to Michael Grant, Esq.

Gallagher & Kennedy.

Hello, Peri

Thanks for your e-mail. We will prepare ourselves for a 3-day expedited delivery of the final transcription to assist you in satisfying the requirements under A.R.S. §38-431.01 D.

The committee will be hiring us when the Chairman Issues the PO with the hearing dates and time. They will be hiring us to be present and prepare the official record, with the following full size transcript distribution list:

Original Transcript                      To be filed with Docket Control

One copy for the Chairman

One copy for ACC Executive Director's office

One copy for each absent committee member (absent for half day or more)

The Committee will be billed for their copies at regular rates at the State Contract Rate. We do understand that we will be paid from the deposit that the Applicant gave when filing the case.

You will be billed separately for one copy at the expedited rate. By you ordering a 3-day expedited delivery, you will be receiving one copy of the transcript, but we are also accelerating and handling the distribution of all of the above-mentioned transcripts. We will do an electronic transmission to you only, as per your standing request.

We will also e-mail you, the Executive Director's office, the Chairman, and all committee members upon completion of the final transcription in 3 business days or less.

I imagine that you are in charge of renting a conference room somewhere and arranging for the sound system. Could you please make sure that there are microphones for the speakers and an amplifier next to the court reporter? We found it near impossible to do a verbatim record on some locations without microphones and an amplifier next to the reporter.

The last three LS cases we were also directed by the applicants to file two additional copies of the transcripts with the nearest libraries to the project. Would we be assisting you with that on this case? If that is the case, then these two copies will be include on the invoice to you, they will be billed at a reduced rate and they will not be subject to the expedited surcharge.

**ON THE EXHIBITS:** Whatever you hand the witness on the stand will become the official original exhibit and the reporter will properly mark it for identification and subsequently file with docket control. So, please assume that the reporter will be keeping those documents. We will file all original exhibits with Docket Control after the last transcript of the evidentiary hearing has been filed; usually within 48 hours.

**ALL EXHIBITS TO BE FILED WITH DOCKET CONTROL MUST MEET THE FOLLOWING CRITERIA:**

- \* Every exhibit must stand alone. No binders are to be filed. Exhibit must be taken out of binder.
- \* Every exhibit must be 8 ½ x 11 to be filed with Docket Control.
- \* Electronic versions of an exhibit can be filed with Docket Control in addition to the paper copy but it cannot be instead of the paper copy.

Please let us know if you have any questions or comments. We are looking forward to being of service to you in this matter.

Thank you,

Marta T. Hetzer / Administrator

\*\*\* Our office hours are Monday through Friday 8:00 a.m. to 6:00 p.m. \*\*\*

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From: Pearsall, Peri L. [mailto:PLP@gknet.com]  
Sent: Wednesday, March 25, 2009 10:08 AM  
To: AZRS  
Subject: RE: Garkane Energy Cooperative - CEC Application

Marta, regarding the CEC pre-filing meetings with Chairman Foreman, Mike would like the 3-day expedited delivery of the hard transcripts. Do you send those to us or directly to the Commission? Mike wants to make sure they have a copy. Thanks! Peri

Peri L. Pearsall  
Assistant to Michael M. Grant  
and James G. Busby, Jr.

Gallagher & Kennedy, P.A.  
2575 E. Camelback Rd., Suite 1100  
Phoenix, Arizona 85016-9225

Phone: 602-530-8402  
Fax: 602-530-8500  
E-mail: plp@gknet.com <mailto:plp@gknet.com>  
Web site: www.gknet.com <http://www.gknet.com/>

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**From:** "Grant, Michael M." <MMG@gknet.com>  
**To:** "John Foreman" <John.Foreman@AZAG.GOV>  
**Date:** 3/27/2009 5:49 AM  
**Subject:** Comments on Draft Procedural Order--Southwest Transmission Cooperative San Manuel Interconnect Project

**CC:** "Robin Mitchell" <RMitchell@azcc.gov>  
Judge Foreman: We will be filing the Application with Docket Control later today. As you requested, I have just a few comments on the draft procedural order which you gave Ms. Mitchell and me at the pre-filing meeting on March 9:

1. On para. 3, we would suggest that an evening comment session is not necessary for reasons discussed at both pre-filing conferences including the fact that a large proportion of the San Manuel population is retired individuals with more flexible work day schedules.
2. On para. 4, I have contacted Mr. Kearns to advise him of the pending filing and the hearing location.
3. On para. 14, given your decision at the March 13 pre-filing conference to not hold a tour, I would recommend deletion of this paragraph.
4. On para. 16, concerning the remote posting of the transcript, I would recommend remote posting at only one instead of two locations. As discussed at the pre-filing conference, there is a small library facility in San Manuel which is open some days of the week to the public. Southwest Transmission is making arrangements with the Court Reporter to have a transcript of the hearing provided to that facility.

I will be delivering the final Notice of Hearing for your signature later this morning--after which we will file it with Docket Control. Thank you for your assistance on and attention to these matters. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com) <<mailto:mmg@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

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**From:** "Pearsall, Peri L." <PLP@gknet.com>  
**To:** <tara.williams@azag.gov>  
**Date:** 3/30/2009 11:59 AM  
**Subject:** SWTC/San Manuel CEC Notice of Hearing  
**Attachments:** GK\_DOCS-#2045470-v1-SWTC\_San\_Manuel\_-\_CEC\_Notice\_of\_Hearing.DOC

**CC:** "Grant, Michael M." <MMG@gknet.com>  
Tara, per our telephone conversation, attached is the Notice of Hearing for the SWTC/San Manuel CEC Application. Peri

Peri L. Pearsall  
Assistant to Michael M. Grant  
and James G. Busby, Jr.

Gallagher & Kennedy, P.A.  
2575 E. Camelback Rd., Suite 1100  
Phoenix, Arizona 85016-9225

Phone: 602-530-8402  
Fax: 602-530-8500  
E-mail: [plp@gknet.com](mailto:plp@gknet.com) <<mailto:plp@gknet.com>>  
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**BEFORE THE ARIZONA POWER PLANT  
AND TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF  
SOUTHWEST TRANSMISSION  
COOPERATIVE, INC., OR ITS ASSIGNEES,  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY FOR THE SAN MANUEL  
INTERCONNECT PROJECT LOCATED IN THE  
VICINITY OF SAN MANUEL IN PINAL  
COUNTY, ARIZONA

Docket No. L-L-00000CC-09-0158-00142

Case No. 142

**NOTICE OF HEARING**

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee ("Committee") regarding the Application of Southwest Transmission Cooperative, Inc. ("Applicant") for a Certificate of Environmental Compatibility authorizing the 230-kV San Manuel Interconnect Project ("Project") in Pinal County, Arizona. The hearing will be held at the Hilton Tucson El Conquistador, 10000 North Oracle Road, Tucson, Arizona 85704. The hearing shall begin at 10:00 a.m. on May 12, 2009 and continue at 9:00 a.m. on May 13, 2009, if necessary. The hearing will adjourn at approximately 5:00 p.m. Additional hearing days, if necessary, will be noticed on the Project and Arizona Corporation Commission ("ACC") websites. The Applicant's Project website can be found at [www.southwesttransmission.coop](http://www.southwesttransmission.coop). The ACC website is: [www.azcc.gov/AZ\\_Power\\_Plant/LineSiting-Calendar.asp](http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp).

**PUBLIC COMMENT MAY BE TAKEN AT THE BEGINNING OF EACH HEARING DAY.**

The Project consists of approximately 4.5 miles of double-circuit 230-kV line which initially will be energized at 115 kV connecting the existing Apache to Hayden transmission line to the existing APS San Manuel Substation. A general location map of the Project area and the proposed route is set forth below.

Beginning at the Apache to Hayden 115-kV transmission line, the new line will extend about one mile in a southwesterly direction to River Road. The line then will run approximately one mile to BHP property and then 2.5 miles to the San Manuel Substation, which is north of the town of San Manuel.

More complete maps, along with more detailed textual descriptions of the proposed routes are available in the Application itself and on the Project website. The Application, including detailed maps of the proposed Project, is on file with the Docket Control Center of the Arizona

1 Corporation Commission, 1200 West Washington Street, Suite 108, Phoenix, Arizona 85007.

2 Depending on the issues raised and the number of intervenors appearing during the hearing, the  
3 Committee may deem it appropriate at some point to recess the hearing to a time and place to be  
4 announced during the hearing, or to be determined after the recess. These dates and places will  
be posted on the Project and ACC websites. At the discretion of the Committee, such resumed  
hearings may be held at a date, time and place designated by the Committee or its Chairman.

5 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN. PUBLISHED**  
6 **NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

7 Each county and municipal government and state agency interested in the proposed Project and  
8 desiring to become a party to the proceeding, shall, not less than ten (10) days before the date set  
for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West  
Washington Street, Phoenix, Arizona 85007, a notice of its intent to be a party.

9 Any domestic, non-profit corporation or association, formed in whole or in part to promote  
10 conservation of natural beauty, to protect the environment, personal health or other biological  
values, to preserve historical sites, to promote consumer interests, to represent commercial and  
11 industrial groups or to promote the orderly development of the area in which the Project is to be  
located and desiring to become a party to the certification proceeding, shall, not less than ten (10)  
12 days before the date set for hearing, file with the Director of Utilities, Arizona Corporation  
Commission, 1200 West Washington Street, Phoenix, Arizona 85007, a notice of its intent to be  
a party.

13 The Committee or its Chairman, at any time deemed appropriate, may make other persons parties  
14 to the proceedings.

15 Any person may make a limited appearance at the hearing by filing a statement in writing with  
16 the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street,  
Phoenix, Arizona 85007, not less than five (5) days before the date set for hearing. A person  
17 making a limited appearance shall not be a party or have the right to present testimony or cross-  
examine witnesses.

18 This proceeding is governed by Arizona Revised Statutes ("A.R.S.") §§ 40-360 to 40-360.13 and  
19 Arizona Administrative Code Rules R14-3-201 to R14-3-220 and R14-3-113. No substantive  
communication, not in the public record, may be made to any member of the Committee. The  
20 written decision of the Committee shall be submitted to the Arizona Corporation Commission  
pursuant to A.R.S. § 40-360.07. Any person intending to be a party before the Arizona  
Corporation Commission must be a party to the certification proceedings before the Committee.

21 DATED this \_\_\_\_ day of \_\_\_\_\_.

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Hon. John Foreman, Chairman  
Arizona Power Plant and  
Transmission Line Siting Committee  
Assistant Attorney General

**From:** "Pearsall, Peri L." <PLP@gknet.com>  
**To:** "Marta Hetzer" <azrs@az-reporting.com>  
**Date:** 4/1/2009 3:17 PM  
**Subject:** Southwest Transmission Cooperative/San Manuel CEC Application - Pre-Hearing Conference - Docket No. L-00000CC-09-0158-00142, Case No. 142

**CC:** "Grant, Michael M." <MMG@gknet.com>, <tara.williams@azag.gov>  
Hello, Marta!

Judge Foreman has requested a pre-hearing conference in this matter for Tuesday, May 5, at 2:00pm and would like a court reporter to be present. The conference will be held at the pre-filing meetings location. I'm not sure how long it will last. ACC Staff may be in attendance. Please let me know if you need additional information.

Thanks!

Peri

Peri L. Pearsall  
Assistant to Michael M. Grant  
and James G. Busby, Jr.

Gallagher & Kennedy, P.A.  
2575 E. Camelback Rd., Suite 1100  
Phoenix, Arizona 85016-9225

Phone: 602-530-8402  
Fax: 602-530-8500  
E-mail: [plp@gknet.com](mailto:plp@gknet.com) <<mailto:plp@gknet.com>>  
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**From:** John Foreman  
**To:** RMitchell@azcc.gov,MMG@gknet.com  
**Date:** 4/3/2009 6:49 AM  
**Subject:** Re: SWTC San Manuel Interconnect Project--Proposed Posted Sign--Siting Committee Case No. 142

**CC:** Tara.Williams@azag.gov  
The form submitted is acceptable.

>>> "Grant, Michael M." <MMG@gknet.com> 04/02/09 7:27 AM >>>  
Chairman Foreman and Ms. Mitchell: Attached is the form of sign notice SWTC would propose physically to post at the locations discussed at the March 9 pre-filing conference, i.e. at the proposed point of interconnection with the existing SWTC line; both directions on River Road; three times on the proposed route on the BHP property; and both directions on Redington Road. The size of the sign would be 24x18 inches, which is consistent with posting sizes SWTC has done on previous Siting Committee Cases. I would note that posting on Redington Road is subject to securing the necessary permits from ADOT. Please let me know if this form is acceptable. I will file this communication and your response with Docket Control. Thanks for your assistance. Mike

Michael M. Grant

Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Suite 1100  
Phoenix, Arizona 85016

Phone: 602-530-8291  
Fax: 602-530-8500  
E-mail: [mmg@gknet.com](mailto:mmg@gknet.com) <<mailto:mmg@gknet.com>>  
Web site: [www.gknet.com](http://www.gknet.com) <<http://www.gknet.com/>>

Attorney Profile <<http://www.gknet.com/attorneyprofile.aspx?id=55>>

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# **PUBLIC HEARING**

## **SOUTHWEST TRANSMISSION**

### **230 KV SAN MANUEL INTERCONNECT PROJECT**

Arizona Corporation Commission Docket No. L-00000CC-09-0158-00142

The public is invited to participate at a public hearing before the  
Arizona Power Plant and Transmission Line Siting Committee

commencing on:

MAY 12, 2009 at 10:00 A.M.

MAY 13, 2009 at 9:00 A.M., IF NECESSARY

HILTON TUCSON EL CONQUISTADOR

10000 N. ORACLE RD.

TUCSON, AZ 85704

INFO: KEVIN BARNES, (520) 586-5457