

June 16th, 2009

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Arizona Corporation Commission
Docket No. L-00000F-09-0190-00144
Case #144 - Vail to Valencia
Public Comment

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Dear Chairman Foreman and Members of the Arizona Power Plant and Transmission Line Siting Committee,

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I am writing on the behalf of the New Dawn and Vail Vistas Estates. Both are registered Neighborhood Associations with Pima County in the vicinity of the proposed project.

In February of 2008 at the hearings for LS 137 we were surprised to learn that in addition to the proposed line between the Vail Vistas and New Dawn Estates, Tucson Electric Power intended to install a third 345 kVa line in the future. It would have made a total of 4 very large lines and towers between our neighborhoods in a very narrow corridor. Such a large impact on one group of people is inappropriate. The neighborhoods will vigorously oppose additional lines and towers. Accordingly, TEP should prepare alternate routes for the lines.

We have worked extensively with TEP, the City of Tucson and the ACC to move the Cienega substation to a more appropriate location using appropriate colored monopoles (please see the attached notation regarding pole color from the City of Tucson Special Land Use Permit Application that was provided to us). We have really appreciated the efforts TEP has put into our requests regarding safety during construction, re-vegetation, flooding issues, intensive OHV prevention, and gating to prevent neighborhood trespassing. Additionally, we appreciate the neighborhood meetings that were held in our area at convenient times at convenient locations. We have shown that the Company can work collaboratively with the community on site specific issues. The Mountain View substation was shown that it was not needed.

However, TEP still has the third 345 (TEP Winchester to Vail) shown in their ten year plan that we will have to contend with. My point is this. **NO other community should be blind sighted at one hearing that their community is going to be hit in the near future by another possible transmission line, especially another extra high voltage line.**

This is one reason, among many, we highly recommend Citizens' Advisory Council, comprised of various community associations, emergency responders, and environmental groups is added to the conditions of the Certificate of Environmental Compatibility, should it be granted. Long term planning will help prevent these kinds of surprises.

I spoke and represented my neighborhoods on August 18th 2008 in front of the Commissioners. Commissioner Mundell spoke when I finished and said *"That's why we have these public meetings, so that the Commissioners can all hear what the utility is telling you, for lack of a better word, in other meetings that we don't attend."* If the Committee approves a Citizen's Advisory Council, there can be accountability and the Community, the Commission and the Utility will all hear the same thing. It is a win-win situation for everyone.

Also, my husband and I stayed and we heard what Commissioner Mayes had to say when she spoke at the end. "So, you know, in addition to that I think we have learned a lot in this case. And I hope that the company has learned a lot. There has to be aggressive, upfront outreach to communities on all of these line siting cases."

Unfortunately, in Line Site Case 144, filed 8 months after the meeting on August 18th, 2008 there still was not aggressive upfront outreach to the community of Vail. We have hopes this will change in the future with your help.

Thank you,

Nan Cowley



Nan and Curt Cowley

13652 E. Mooncloud Way

Vail, AZ 85641

Pursuant to AAC R14-3-204
Original and 25 copies of the foregoing are filed with
Docket Control (26 copies)
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Cienega Utility Substation Special Exception Land Use Permit Application

Estates commented that the residents in New Dawn Estates and Vail Vista approve of this new site for Cienega Substation and lists stipulations for approval. At a neighborhood meeting on 8/26/08 (see Neighborhood Meeting Documentation within the Special Exception Land Use Permit application) TEP discussed the stipulations with the neighbors and agreed to the following conditions:

1. TEP has applied to Arizona State Land Department (ASLD) for a 35-foot Right-of-Way (ROW) No. 18-112941 for underground distribution facilities (feeders) on ASLD land adjacent to the west boundary of New Dawn Estates. Within the 35-foot ROW, TEP will try to maintain a 15-foot natural buffer on the east side adjacent to neighbors. However, there will be a few areas within the 35-foot easement that will contain manholes for access to the underground system, which may make the 15-foot buffer unattainable. The remaining 20 feet on the west side of the ROW will be cleared to install underground feeders, and will be revegetated to ASLD's ROW requirements and City of Tucson's NPPO standards.
2. There will be construction traffic within the ROW during installation, but there will be no other routine traffic once the cables have been installed but for periodic operation and maintenance. The ROW will be gated to restrict public access.
3. TEP will install galvanized steel poles for the Vail Area project to respond to neighbors' expressed preference.
4. TEP will proceed with the construction process to minimize the amount of time and impact to land and vegetation.
5. TEP will follow a Stormwater Pollution Prevention Plan (SWPPP) during construction.
6. TEP has withdrawn the SE-08-05 application for the original substation site east of Colossal Cave Road.

Neighborhood representatives reviewed a draft of this new application and provided comments prior to submitting the application to the City of Tucson. On October 20, 2008 an email was received from Nan Cowley representing New Dawn/Vail Vista residents. After her review, she found the application satisfactory to all the neighborhood concerns. This email has been provided within the Special Exception Land Use Permit application as Appendix E: Neighborhood Correspondence.

*Special Exception Land Use Permit TEP Cienega substation
Supplemental site information TEP-12*

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