

ORIGINAL



0000099585

57

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION

IN THE MATTER OF THE APPLICATION OF UNS ELECTRIC, INC., IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360 et seq., FOR A CERTIFICATE OF ENVIRONMENTAL FOR A ENVIRONMENTAL COMPATIBILITY FOR THE VAIL TO VALENCIA 115 KV TO 138 KV TRANSMISSION LINE UPGRADE PROJECT, ORIGINATING AT THE EXISTING VAIL SUBSTATION IN SEC. 4, T.16S., R.15E., PIMA COUNTY, TO THE EXISTING VALENCIA SUBSTATION IN SEC. 5, T.24S., R.14E., IN THE CITY OF NOGALES, SANTA CRUZ COUNTY, ARIZONA

Arizona Corporation Commission

Docket No. L-00000F-09-0190-00144

Case #144

Arizona Corporation Commission  
**DOCKETED**

Notice of Filing of Potential Exhibits

By

Elizabeth Buchroeder-Webb (Elizabeth Webb)

DOCKETED BY

On behalf of herself, Elizabeth Webb provides notice that the following documents may be introduced as exhibits.

EW-17 which includes the following taken from previously disclosed documents available online or from data requests and may include other relevant previously disclosed information

- Community Associations registered with Pima County in the Vicinity of the Proposed Project (A)
- Mailing label overlay map provided in UNS Electric response to Data Request EW 11 and 12 (B)
- TEP Certificate of Convenience and Necessity Segment 1A, taken from (C)  
[http://www.oatioasis.com/TEPC/TEPCdocs/SatStudy\\_Phase4\\_05-07-2008.pdf](http://www.oatioasis.com/TEPC/TEPCdocs/SatStudy_Phase4_05-07-2008.pdf)
- Table of Community Associations, Electric Provider and Project Distance (D)
- E Webb response to UNS Response to Data Request EW 11 and 12 (E)
- Response from UNS Electric to Data Request EW 11 and 12 (F)

Copies of this information have been provided via email to the Applicant's attorneys and Intervener Magruder.

Dated this 17<sup>th</sup> day of June 2009

ELIZABETH BUCHROEDER-WEBB

Elizabeth Buchroeder-Webb  
17451 E. Hilton Ranch Rd.  
Vail, Arizona 85641  
(520)247-3838 vailaz@hotmail.com

RECEIVED  
2009 JUN 19 A 9:55  
AZ CORP COMMISSION  
DOCKET CONTROL

Pursuant to AAC R14-3-204

Original and 25 copies of the foregoing are filed with

Docket Control (26 copies)  
Arizona Corporation Commission  
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Phoenix, Arizona 85007-2927

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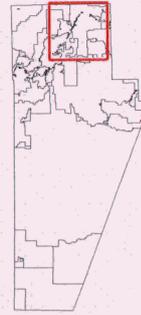
*Line Site Case #144 Vail to Valencia Docket No. L-00000F-09-0190-00144*

# Vail Neighborhood Associations

-  Project Boundary
-  AVIS ACRES PRESERVATION COALITION
-  NEW DAWN NEIGHBORHOOD ASSOCIATION
-  CONCERNED CITIZENS OF CORONA
-  SANTA RITA FOOTHILLS
-  VAIL PRESERVATION SOCIETY
-  VAIL VISTA NEIGHBORHOOD ASSOCIATION
-  HILTON ROAD COMMUNITY ASSOCIATION
-  Administrative Boundaries
-  Major Streets

**EXHIBIT  
EW - 17**

Pima County Index Map  
Index Map Scale: 1:1,500,000

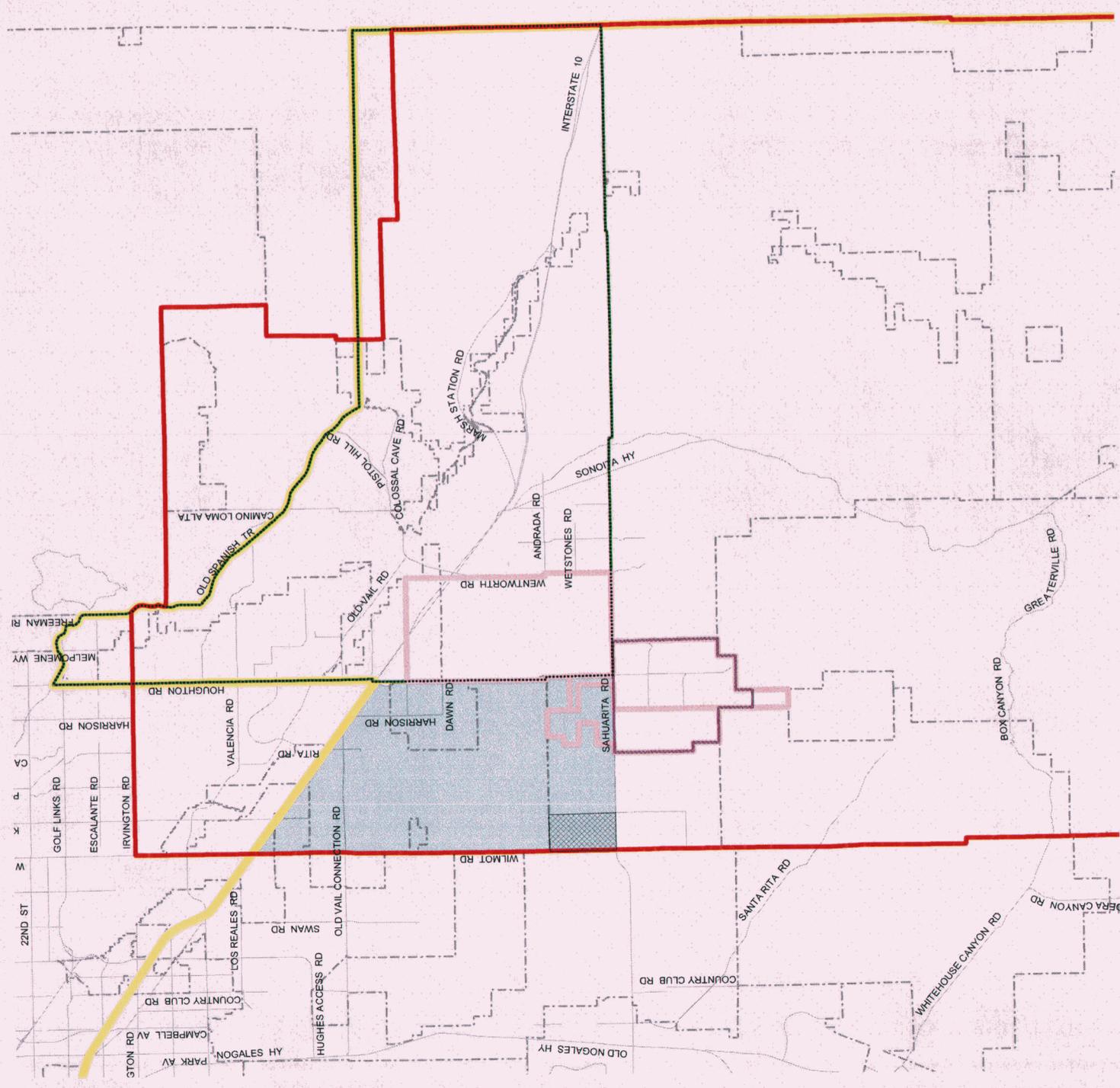


Scale 1:60,000



**Pima County  
DOT Geographic  
Information  
Services**

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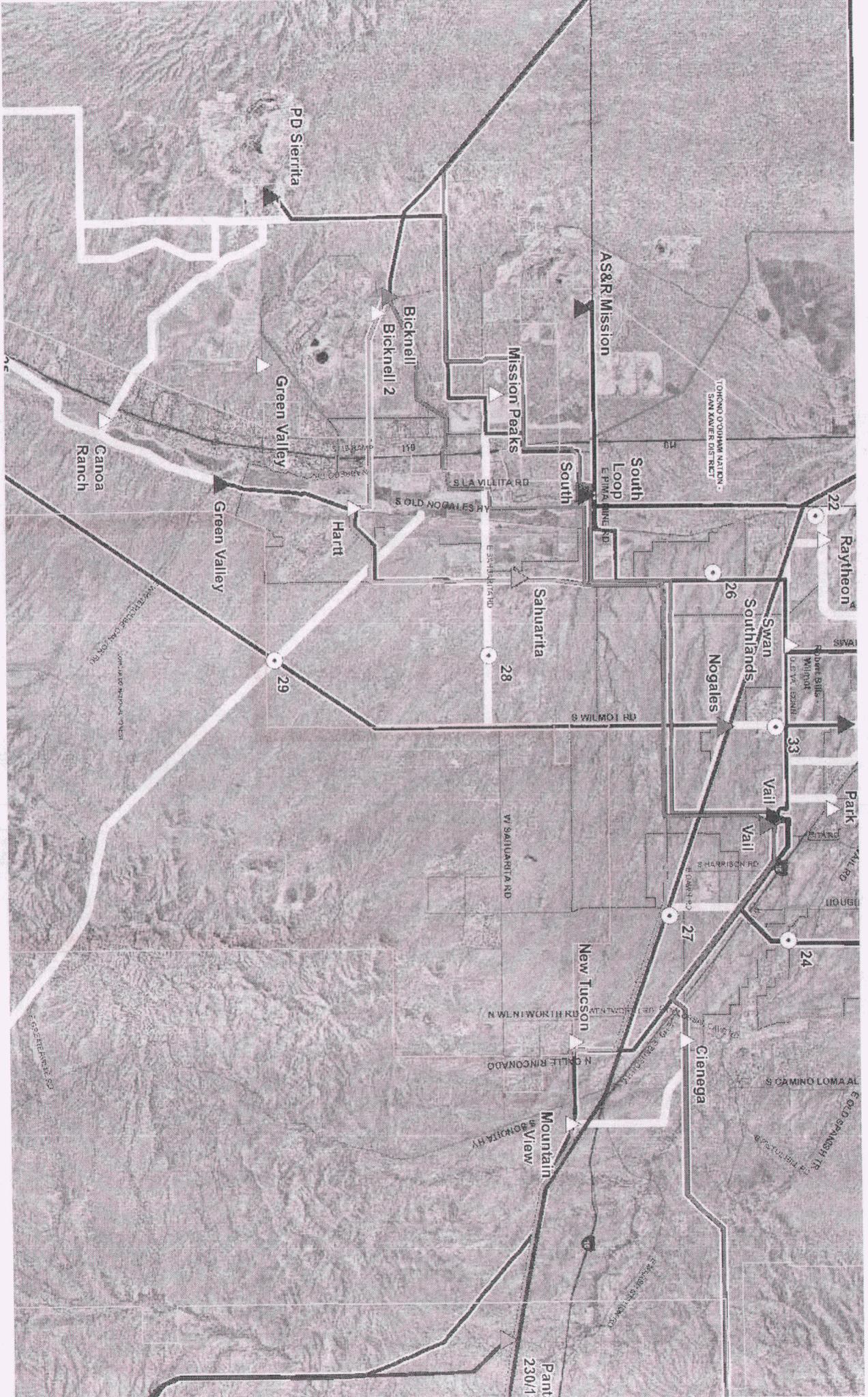
# Mailing List - Segment 1

Vail to Valencia 115kV to 138kV Upgrade Project

## Legend

- Existing 115kV Transmission Line
- Alternative Alignments (100 Foot ROW)
- Preferred Alignment (100 Foot ROW)
- 500 Foot Corridor
- ▲ Substations
- Area of Notification (Residents and Property Owners)
- Bureau of Land Mgmt.
- Coronado N.F.
- Private Land
- San Xavier Indian Res.
- State Trust Land





———— CAP Canal

## Roads

———— Interstate

———— Major Streets

## Boundaries

 TEP Certificate of Convenience and Necessity

*outside of*

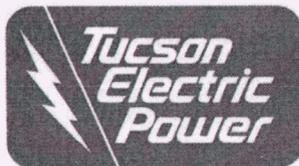
 Tribal

 County

 Town / City

**May 7, 2008**

This map is for general planning purposes only.  
TEP and UniSource make no warranty of its accuracy



Data Sources:  
Lines: UniSource, SW Transco & PLATTS  
Data: ALRIS, ADOT, Pima  
County, PAG & nationalatlas.gov  
Projection:  
UTM Zone 12N NAD 1983 HARN

A UniSource Energy Company

Source: POWERmap, [powermap.platts.com](http://powermap.platts.com)  
Copyright 2006 Platts, A Division of The McGraw-Hill Companies

*C2*

Community Associations/Non-Governmental Organizations registered with Pima County in the vicinity of the Proposed  
Project in Segment 1A in the Vail to Valencia Project

Name of Community Association registered with Pima County	Approx. Boundary Distance from Alternative Alignment proposed new construction at turn in TSR E151516	Approx. Distance from Proposed Project Unisource Energy Parcel held in fee simple at TSR E161504	Approx. Distance from project south of Sahuarita Rd. (no change to existing transmission line) TSR E171518	TEP or Trico Customer (Typically)
Hilton Road Community Association	At Project Site	At Project Site	At Project Site	TEP
Vail Preservation Society	At Project Site	At Project Site	At Project Site	TEP and Trico
New Dawn Estates Community Association	1.4 miles	2.10 miles	6.11 miles	TEP
Vail Vistas Estates Community Association	1.4 Miles	2.10 miles	6.11 miles	TEP
Santa Rita Foothills Community Association	.59 miles	2.64 miles	2.82 miles	Trico
Concerned Citizens of Corona	5.23 miles	7.18	2.82	Trico
Avis Acres Preservation Society			(at project site at Sahuarita and Wilmot)*	Trico

\* area in map overlay for individual mailing labels sent by USE as per Data Request EW 11 and EW 12 sent 5 June 2009. USE Map dated 8 June 2009, provided 17 June 2009. CEC\Hearing\Proposed-Corridors-Segment-1-24x36.mxd 6/8/2009

Information compiled from the Vail Neighborhood Associations list produced by Pima County DOT Geographic Information Systems dated June 16<sup>th</sup> 2009, from the Pima County GIS website: <http://www.dot.pima.gov/gis/maps/mapguide/> and from USE data request responses by Intervener Webb for informational purposes only. **Revision One Prepared June 17<sup>th</sup> 2009**

*The disclaimer provided on the County GIS Vail Neighborhood Association's map:  
The information depicted on this display is the result of digital analyses performed on a variety of databases provided and maintained by several governmental agencies. The accuracy of the information presented is limited to the collective accuracy of these databases on the date of the analysis. The Pima County Department of Transportation Geographic Information Services Division makes no claims regarding the accuracy of the information depicted herein. This product is subject to the Department's Disclaimer and Use Restrictions.*

Elizabeth Webb  
Civilian Intervener  
17451 E. Hilton Ranch Rd.  
Vail, AZ 85641  
(520) 247-3838

12 June 2009

Sent via email and USPS

Jason D. Gellman  
Roshka DeWulf & Patten, PLC  
One Arizona Center  
400 East Van Buren, Suite 800  
Phoenix, AZ 85004  
Phone: 602-256-6100  
Fax: 602-256-6800  
email: [jgellman@rdp-law.com](mailto:jgellman@rdp-law.com)

CC

Marc Jerden  
Unisource Energy Corporation  
One South Church  
Suite 200  
Tucson, AZ 85701  
Email: [mjerden@tep.com](mailto:mjerden@tep.com)

Re: Vail to Valencia Case # 144 Docket # Docket No. L-00000F-09-0190-00144  
UNS Electric's response Sent June 9<sup>th</sup> to Data Request E Webb 11 and 12 Sent June 5<sup>th</sup> 2009

**Data Request E Webb 11**

"Please include a copy of the mailing labels used for any and all project newsletters for Segment 1A and 1B in the above referenced case formatted as such:

1. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.
2. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.

If there was no change between labels, you may state no change.

**Data Request E Webb 12**

Please provide an overlay map with the properties these mailing labels were sent to beneath it.

UNS Electric has objected to the extent that I am "requesting the mailing list containing specific names and addresses of persons sent mailings. That information is not public record, is confidential, and the privacy interests of those persons outweigh the need for disclosure."

It was also stated that UNS Electric "Is checking into the possibility of creating a map that will identify the properties included in the mailings.

I object to UNS Electric's objection for the following reasons:

1. In UNS Exhibit 4

P2. It states that Mr. Miller will testify that:

- the first newsletter was sent Dec 27<sup>th</sup> 2007, to over 5000 residents in the initial **study area**.
- the second newsletter was sent in May 2008 to over 20,000 residents in the final and expanded **study area**.
- the third newsletter sent in November 2008 to over 30,000 **addresses**...

- the fourth newsletter sent in April 2009 to 30,000 **addresses** notifying the public...

2. If, as the exhibit states, the information was generated based on the study area, then the information I have requested is **not private** as the land ownership records in Segment 1A and 1B are listed as **public records**, available to the general public on the Pima County GIS mapping system. <http://dot.pima.gov/gis/maps/mapguide/>.

3. Roshka, DeWulf and Patten and Transon have set a precedent in LS Case 137 before the AZ. Power Plant and LS Committee in using mailing labels as evidence containing **specific** non-redacted **names** and **addresses** of persons sent mailings for public outreach. (NO. L-00000C-08-0011-00137 VOL II 2-20-2008 TEP -10)

4. In my motion to intervene, my opening statement, my cross examination to Mr. Beck, Mr. Warner and Mr. Miller I have spoken of concerns regarding public outreach and concerns in Segment 1A and a smidge south in Segment 1b to the Santa Cruz county line. The information requested in my data request would enhance my direct examination. It would also require UNS Electric to verify its statements of fact concerning newsletter mailings.

---

If there are additional names on the mailing labels of individuals who are not along the project route and who were sent newsletters in the enhanced mailing lists, I will accept redacted information, such as provided in evidence already submitted and accepted into evidence by UNS Electric. An example is provided below from an Open House:

UNS-1 Application J-4 Open Houses Page 1

Sign In Sheet Summary Open House February 26 and 27<sup>th</sup>, 2008

Alice Lake-Rio Rico Resident *[Information Redacted]*

To summarize, my request for the labels, mailings and dates is valid and relevant as UNS Exhibit 4 is relevant to public outreach. My request would enhance that evidence to determine what addresses along the project route received mailings for the area known as Segment 1a and 1b.

I am asking UNS Electric to clarify and validate their assertions in Exhibit 4. My request is directly related to UNS Electric's statement of fact in Exhibit that it sent mailings to the "initial and expanded study areas" and the numbers of addresses listed above in #1 of my objection.

Providing this information will also expedite my direct examination and reduce my costs. I believe the former is a goal of the Committee. It is my perception that the Committee and the Chairman would like to complete the hearing in one day.

Additionally, I have articulated how UNS Electric's claim to privacy interests is not valid to deny discovery for this request in Pima County, the area for which I made my request. I certainly hope there is not confusion over the tiny portion of segment 2b that overlaps into Santa Cruz County. If that is at issue, please let me qualify that I am asking for the information in Pima County only.

On June 9<sup>th</sup>, I sent the following email to Roshka, DeWulf and Patten:

**From:** Vail Arizona [mailto:vailaz@hotmail.com]  
**Sent:** Tuesday, June 09, 2009 4:19 PM  
**To:** Mary Ippolito  
**Cc:** Jason D. Gellman; Matt Derstine; ebeck@tep.com; Michael Patten  
**Subject:** RE: Response to UNS Electric's response to EW Webb Data Request Dated 5 June 2009

Mary!

Thanks for sending this along! I have to head into town so this is just a quick response back. Will formulate a more official looking response tomorrow!

Typically mailing information is generated by a title company or through a mailing label service or such as the City of Tucson provided for the Cienega substation required notice for the properties in a certain area and it is public, not proprietary information- such as if I were asking for TEP/UNS Electric's customer list. (which I am not)

I think the idea of providing a map of the properties that were sent the newsletter would be adequate as long as I can see what what

properties in the vicinity of the project were sent which newsletter on which dates, as requested. I would appreciate receiving it in a timely manner from the original date I made the data request though. Thanks again!

---

I will still accept a map showing which specific properties were sent which specific newsletters on which date, but I am still requesting the rest of the mailing list in the above specified redacted form as already entered and considered acceptable by UNS Electric in this hearing, in a timely manner. (by 16 June 2009 according to the 10 calendar day mentioned in my motion to intervene).

Lastly, I am feeling frustrated by these continued protracted dealings over very simple data requests. It is difficult to form my testimony with incomplete information.

As I mentioned in the email sent on June 9th, the date the original data request was sent is still considered the original date and I appreciate a complete response by 16 June 2009.

Thank you,

Dated this 12<sup>th</sup> day of June 2009

*Elizabeth Buchroeder-Webb*

Elizabeth Buchroeder-Webb

UNS ELECTRIC, INC.  
RESPONSES TO MS. WEBB'S  
SUPPLEMENTAL REQUESTS  
L-00000F-09-0190-00144  
June 16, 2009

Data Request E Webb 11

Please include a copy of the mailing labels used for any and all project newsletters for Segment 1A and 1B in the above referenced case formatted as such:

1. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.
2. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.
3. etc.

If there was no change between label sets, you may state no change.

RESPONSE:

UNS Electric has previously indicated by correspondence that it objects to this request. A copy has been attached.

**ROSHKA DEWULF & PATTEN**

ROSHKA DEWULF & PATTEN, PLC  
ATTORNEYS AT LAW  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET  
SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

June 9, 2009

**VIA ELECTRONICALLY AND REGULAR U.S. MAIL**

Elizabeth Buchroeder-Webb  
17541 E.H. Hilton Ranch Road  
Vail, AZ 85641

Re: Vail to Valencia 115 kV to 138 kV Transmission Line Upgrade Project  
("Project") – Data Requests E Webb 11 and E Webb 12 sent June 5, 2009  
Docket No. L-00000F-09-0190-00144 (Case No. 144).

Dear Elizabeth:

The purpose of my letter is to respond to your letter sent electronically on June 5, 2009 requesting the following:

**Data Request E Webb 11**

Please include a copy of the mailing labels used for any and all project newsletters for Segment 1A and 1B in the above referenced case formatted as such:

1. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.
2. Project Newsletter "X" dated "X" mailed to this mailing list and attach mailing labels.

If there was no change between labels, you may state no change.

**Data Request E Webb 12**

Please provide an overlay map with the properties these mailing labels were sent to beneath it.

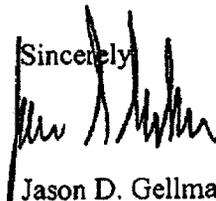
ROSHKA DEWULF & PATTEN

Elizabeth Buchroeder-Webb  
June 9, 2009  
Page 2

UNSE objects to your request to the extent you are requesting the mailing list containing specific names and addresses of persons sent mailings. That information is not public record, is confidential, and the privacy interests of those persons outweigh the need for disclosure.

UNSE is checking into the possibility of creating a map that will identify the properties included in the mailings.

Sincerely,



Jason D. Gellman  
For the firm

cc: Ed Beck, Director Line Siting Services, UNS Electric

UNS ELECTRIC, INC.  
RESPONSES TO MS. WEBB'S  
SUPPLEMENTAL REQUESTS  
L-00000F-09-0190-00144  
June 16, 2009

Data Request E Webb 12

Please provide an overlay map with the properties these mailing labels were sent to beneath it.

RESPONSE:

See the attached map that depicts the areas for the mailings of newsletters two through four in Segment 1.