



0000100003

ORIGINAL

51

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

IN THE MATTER OF THE APPLICATION OF )  
SALT RIVER PROJECT AGRICULTURAL )  
IMPROVEMENT AND POWER DISTRICT, IN )  
CONFORMANCE WITH THE REQUIREMENTS )  
OF ARIZONA REVISED STATUTES, SECTIONS )  
40-360, et seq., FOR A CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING CONSTRUCTION OF A 230 kV )  
DOUBLE-CIRCUIT TRANSMISSION LINE )  
ORIGINATING AT THE PLANNED AND )  
PERMITTED ABEL SUBSTATION, NEAR JUDD )  
AND ATTAWAY ROADS IN PINAL COUNTY, )  
TO THE PLANNED AND PERMITTED RS-17 )  
SUBSTATION, ADJACENT TO THE EXISTING )  
MOODY SUBSTATION, LOCATED NEAR )  
PECOS AND RECKER ROADS, IN THE TOWN )  
OF GILBERT, MARICOPA COUNTY, )  
ARIZONA, AND INCLUDING A NEW 230/69 kV )  
SUBSTATION NEAR THE INTERSECTION OF )  
COMBS AND MERIDIAN ROADS, IN OR )  
ADJACENT TO THE TOWN OF QUEEN )  
CREEK, ARIZONA. )

Docket No. L-00000B-09-0311-00148  
Case No. 148

**NOTICE OF FILING E-MAIL COMMUNICATION**

RECEIVED  
2009 JUN 25 P 2:31  
AZ CORP COMMISSION  
DOCKET CONTROL

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date, since the last filing on June 17, 2009.

DATED: June 25, 2009

Arizona Corporation Commission  
**DOCKETED**

JUN 25 2009

DOCKETED BY

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 Pursuant to A.A.C. R14-3-204,  
2 The Original and 25 copies were  
3 filed June 25, 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 25<sup>th</sup> day of June, 2009 to:

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

15 Kenneth C. Sundlof, Jr.  
16 Jennings, Strouss & Salmon, PLC  
17 The Collier Center, 11<sup>th</sup> Floor  
18 201 East Washington Street  
19 Phoenix, AZ 85004-2385  
20 Counsel for Applicant, SRP

21 Gary Birnbaum  
22 Jim Braselton  
23 Mariscal, Weeks, McIntyre & Friedlander, PA  
24 2901 North Central Avenue, Suite 200  
25 Phoenix, AZ 85012  
26 Counsel for the Town of Queen Creek

Craig Marks  
Craig A. Marks, PLC  
10645 North Tatum Blvd, Suite 200-676  
Phoenix, AZ 85028  
Counsel for the City of Mesa

1 William P. Sullivan  
2 Larry K. Udall  
3 Curtis, Goodwin, Sullivan, Udall & Schwab, PLC  
4 501 East Thomas Road  
5 Phoenix, AZ 85012-3205  
6 Counsel for the Town of Gilbert

7 Kyle Mieras  
8 90 East Civic Center Drive  
9 Gilbert, AZ 85296

10 Lawrence V. Robertson, Jr.  
11 P.O. Box 1448  
12 2247 East Frontage Road  
13 Tubac, AZ 85646  
14 Counsel for Pinal County

15 Christopher Schmaltz  
16 Gust Rosenfeld, PLC  
17 201 East Washington Street, Suite 800  
18 Phoenix, AZ 85004  
19 Counsel for Phoenix-Mesa Gateway Airport

20 Francis Slavin  
21 Francis J. Slavin, PC  
22 2198 East Camelback Road, Suite 285  
23 Phoenix, AZ 85016  
24 Counsel for Jason Barney

25 Scott Wakefield  
26 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC  
201 North Central Avenue, Suite 3300  
Phoenix, AZ 85004-1052  
Counsel for Sandy Beeler

Gregory Miles  
Rebecca Porter  
Davis Miles, PLLC  
P.O. Box 15070  
Mesa, AZ 85211  
Counsel for Vlachos

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

Sara Williams

**From:** "AZRS" <azrs@az-reporting.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 6/22/2009 1:02 PM  
**Subject:** RE: #148 Procedural Order

Hello, Tara  
Thanks.  
We have added to our calendar.

Marta Hetzer @ AZRS  
60-274-9944

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

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Monday, June 22, 2009 11:05 AM  
To: Lawrence Robertson; Craig Marks; Janice Alward; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.  
Cc: AZRS; Michele Maser; Jana Brandt; Kelly Barr  
Subject: #148 Procedural Order

All,

I have been informed by Ms. DeWitt at ACC Docket Control that you will not receive our filings from them via mail, regardless of whether or not you are on our service list, until you have filed a Motion or Request to Intervene.

Since most of you have not filed a Motion yet, I have attached the Procedural Order for this case, the Notice of Hearing and a Procedural Order concerning the matters discussed above. All of these documents have been filed with Docket Control.

Please let me know if you have any questions.

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

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE

RECEIVED

2009 JUN 17 P 12:37

Docket No. L-00000B-09-0311-00148

Case No. 148

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

1  
2  
3 IN THE MATTER OF THE APPLICATION OF  
4 SALT RIVER PROJECT AGRICULTURAL  
5 IMPROVEMENT AND POWER DISTRICT, IN  
6 CONFORMANCE WITH THE  
7 REQUIREMENTS OF ARIZONA REVISED  
8 STATUTES, SECTIONS 40-360, et seq., FOR  
9 A CERTIFICATE OF ENVIRONMENTAL  
10 COMPATIBILITY AUTHORIZING  
11 CONSTRUCTION OF A 230 kV DOUBLE-  
12 CIRCUIT TRANSMISSION LINE  
13 ORIGINATING AT THE PLANNED AND  
14 PERMITTED ABEL SUBSTATION, NEAR  
15 JUDD AND ATTAWAY ROADS IN PINAL  
16 COUNTY, TO THE PLANNED AND  
17 PERMITTED RS-17 SUBSTATION,  
18 ADJACENT TO THE EXISTING MOODY  
19 SUBSTATION, LOCATED NEAR PECOS AND  
20 RECKER ROADS, IN THE TOWN OF  
21 GILBERT, MARICOPA COUNTY, ARIZONA,  
22 AND INCLUDING A NEW 230/69 kV  
23 SUBSTATION NEAR THE INTERSECTION OF  
24 COMBS AND MERIDIAN ROADS, IN OR  
25 ADJACENT TO THE TOWN OF QUEEN  
26 CREEK, ARIZONA.

PROCEDURAL ORDER

17 An application for a Certificate of Environmental Compatibility was filed in the  
18 above captioned matter with docket control of the Arizona Corporation Commission  
19 ("Commission") on June 12, 2009. A copy of the application was transmitted to John  
20 Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman  
21 ("Chairman") and Presiding Officer of the Arizona Power Plant and Transmission Line  
22 Siting Committee ("Line Siting Committee"). A.R.S. §§ 40-360.01(B)(1) and 40-360.03.  
23 As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E),  
24 the Chairman issues the following procedural order,

22 IT IS ORDERED:

- 23 1. The Applicant and all other potential parties ("persons" within the meaning of  
24 A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to  
25 A.R.S. § 40-360.05(A)) shall advise the Chairman in writing on or before the time  
26 of the pre-hearing conference scheduled below if they disagree that the time limit  
for decision on the application by the Line Siting Committee set by A.R.S. §  
40.360.04(D) is December 9, 2009.

- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26
2. The Applicant shall arrange for the publication and posting of notice of the evidentiary hearing, as agreed to at the pre-application hearing involving the Applicant and all known potential intervenors, in a form approved by the Chairman and circulated for approval as to form to all known potential interested parties. In addition, the Applicant shall submit a copy of the notice and present testimony describing the publication and posting of the notice at the evidentiary hearing.
  3. The Applicant shall make arrangements for the evidentiary hearing to be held at the ASU Polytechnic Campus, Cooley Ballroom in the Student Union Building, 7001 East Williams Field Road, Mesa, Arizona, 85212, (480) 727-1098, beginning on August 5, 2009, at 9:30 a.m. and continuing, if necessary, on August 6, 2009, and August 7, 2009, at 9:30 a.m. The Applicant shall make arrangements for further regular sessions, if needed, and additional public comment sessions, if needed, on dates and at times to be determined later.
  4. The Applicant shall contact Michael Kearns, Chief Finance Officer of the Commission (602-542-3931), and advise him of the Applicant's position concerning reimbursement of the Line Siting Fund should the expenses of the hearings exceed the application fee, and to discuss financial arrangements regarding hotel reservations and other expenses of the Line Siting Committee Members. A.R.S. § 40-360.10. The Applicant shall advise the Chairman of the results of these discussions so the necessary information may be communicated to the Line Siting Committee Members.
  5. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall meet and confer, on or before the beginning of the evidentiary hearing to determine whether any of the intervening parties have similar interests in the application process that will allow them jointly to present testimony on direct or cross-examination of witnesses or jointly to offer exhibits into evidence. The Applicant shall, and any other potential party may, report to the Chairman the results of the attempts of the parties to resolve the issues and to determine if common interests exist that will allow parties to jointly present evidence and argument or to avoid repetition of testimony and argument at the hearing.
  6. The parties and any other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall not communicate with any member of the Line Siting Committee about any procedural matters or any factual issues or legal issues relating to the Application while the Application is pending before the Line Siting Committee. The only exception is the parties may communicate with the Chairman, during the time the Application is pending, about procedural matters

1 relating to the preparation of the Application for hearing, the hearing on the  
2 Application and the decision on the Application by the Line Siting Committee.  
3 Communication of the parties with the Chairman about any procedural matters,  
4 during the time an Application is pending, shall be in writing with a copy of the  
5 writing to all parties or known potential parties ("persons" within the meaning of  
6 A.R.S. § 40-360(8) who have expressed an intention to intervene or request to  
7 intervene pursuant to A.R.S. § 40-360.05(A)), or shall be on the record at a pre-  
8 application hearing, at a procedural hearing or at the hearing on the application.  
9 Any party who initiates any written communication sent to the Chairman shall  
10 file, with docket control of the Commission, a copy of the communication,  
11 including its distribution list, within 10 days of sending the communication.

12 7. Whenever an agenda is filed pursuant to A.R.S. § 38-431.02, all parties shall  
13 submit, at least forty-eight hours before the hearing or meeting described in the  
14 agenda, any objections, additions or corrections to the agenda, in order to bring  
15 the agenda into compliance with A.R.S. § 38-431.02, in writing to the Chairman,  
16 serve a copy upon all other parties and file a copy with docket control of the  
17 Commission.

18 8. In addition, all parties shall meet and confer as needed before, during and after  
19 the hearing to attempt to resolve any disputes amongst the parties. The parties  
20 also shall keep all other parties advised of their positions and intentions with  
21 regard to the presentation of evidence, witnesses and the application process in  
22 general to avoid delay, the presentation of repetitive evidence and any unfair  
23 advantage from surprise.

24 9. All parties shall prepare brief summaries of the expected direct testimony of each  
25 witness they will call. In lieu of a testimonial summary, a party may pre-file and  
26 exchange all or substantially all of the direct testimony of any witness.  
27 Testimonial summaries and pre-filed testimony should be filed no later than the  
28 last pre-hearing conference or three business days before the witness is to  
29 testify, whichever is later. Except for good cause, no witness will be allowed to  
30 testify on direct examination concerning issues not reasonably identified in the  
31 pre-filed testimony or testimonial summary.

32 10. All parties shall meet, confer and exchange all exhibits the party plans to offer in  
33 evidence before the hearing or before they are referred to in testimony or offered  
34 in evidence. The Applicant shall, and other parties may, provide one or more  
35 three ring binders for the Chairman and each member of the Line Siting  
36 Committee to hold exhibits at the beginning of the hearing and as needed during  
37 the hearing. Each party shall prepare a numbered list of the exhibits and a copy  
38 of all exhibits suitable for placement in the binders that have been exchanged  
39 with the other parties that each party expects to offer in evidence at the hearing

1 for the Chairman and each Line Siting Committee member. The exhibits shall  
2 be provided at the beginning of the hearing and during the hearing before  
3 reference to the exhibit is made in the hearing. Except for good cause, no exhibit  
4 that was not exchanged with the other parties shall be considered at the hearing.  
5 Any exhibit to which reference is made during any hearing that is not offered or  
admitted into evidence shall be provided to the court reporter at the evidentiary  
hearing for inclusion in the record unless it is withdrawn, and the Chairman  
determines its filing is not necessary to an understanding of the actions of the  
Committee.

6 11. All exhibits shall be consecutively numbered with the Applicant's exhibits  
7 denominated: SRP-1, SRP-2, etc. Each intervening party will be assigned by the  
8 Chairman a letter or letters of the alphabet as a preface with which to  
consecutively number its exhibits. For example, the Commission Staff will  
number its exhibits: CC-1, CC-2, etc.

9 12. The Applicant may make an opening statement at the beginning of the hearing of  
10 no more than thirty minutes. Each other party may make an opening statement  
11 of no more than five minutes.

12 13. Public comment will be heard after the opening statements and at other times set  
13 by the Chairman during the hearing. See ¶ 3, above.

14 14. In the event the Chairman determines that a tour is appropriate, the Applicant  
15 shall arrange for transportation of any Committee Members who wish to attend a  
16 tour of the locations where facilities proposed in the application or similar facilities  
17 are located. If a tour is held, the Applicant shall submit to the Chairman, for  
18 approval in advance of the hearing, a schedule and protocol agreed to by all  
19 parties for the tour. If all parties do not agree upon the schedule and protocol for  
20 the tour, the disagreements shall be submitted to the Chairman for resolution.  
21 The protocol shall identify the tour route, identify the location of any stops, and  
22 identify any witnesses who will accompany the tour. Counsel may ask brief  
23 explanatory questions of the identified witness or witnesses during the stops  
24 about the location, what can be seen from the location of the stop and the  
25 relevance of the location or view to the Application in the discretion of the  
26 Chairman. All witnesses who testify on the tour shall be sworn before their  
testimony. All questions and answers shall be before a court reporter. No  
testimony or discussion with or between Committee Members about the  
Application or matters relating to the Application will take place, except on the  
record before a court reporter at the designated stops. The protocol shall provide  
for access to any testimony presented at stops on a tour to members of the  
public. Members of the public who wish to attend the tour shall be encouraged to  
notify the parties or the appropriate staff of Arizona Corporation Commission in  
advance of their intention to attend.

1 15. Parties may present their witnesses in panels where appropriate. A party that  
2 intends to present witnesses in panels shall identify the members of any panel at  
3 the time it files its witness summaries.

4 16. The Applicant shall make arrangements for the preparation of expedited court  
5 reporter transcripts of all pre-application hearings, pre-hearing procedural  
6 hearings and the evidentiary hearing, so that the transcripts are available for  
7 public inspection within three working days after each hearing date, as required  
8 by A.R.S. § 38-431.01D and § 40-360.04C. In addition, the Applicant shall file a  
9 certification with Commission docket control that it has provided a copy of the  
10 transcripts to at least two public libraries identified in the certification that are in  
11 the vicinity of the application.

12 17. On or before the final pre-hearing procedural hearing set below, the Applicant  
13 shall, and the other parties may, file proposed findings of fact, proposed  
14 conclusions of law, the wording of any proposed Certificate of Environmental  
15 Compatibility and the wording of any proposed conditions to the Certificate.

16 18. If the beginning of closing arguments and the Line Siting Committee's  
17 deliberations are more than one week after the beginning of the hearing, the  
18 parties shall meet and confer after the hearing begins and before closing  
19 arguments concerning proposed findings of fact, proposed conclusions of law, a  
20 proposed Certificate of Environmental Compatibility and the wording of any  
21 proposed conditions to the Certificate. If the parties are able to agree upon part  
22 or all of the proposed findings of fact, proposed conclusions of law, proposed  
23 forms of a Certificate of Environmental Compatibility and proposed wording of  
24 conditions to the Certificate, all that is agreed upon should be reduced to writing  
25 and filed with Commission docket control. If the parties are not able to agree  
26 completely, the Applicant shall, and all other parties may, file proposed findings  
of fact, proposed conclusions of law, proposed wording of a Certificate of  
Environmental Compatibility and proposed wording of conditions to the  
Certificate on the day before the beginning of closing arguments and the Line  
Siting Committee's deliberations.

19. If the Applicant or any other party proposes conditions based upon conditions  
used in prior cases, each proposed condition from a prior case shall contain the  
case number of the most recent prior Certificate of Environmental Compatibility  
using the language approved by the Commission.

20. All witness summaries, proposed findings of fact, proposed conclusions of law,  
proposed Certificates of Environmental Compatibility and proposed conditions of  
Certificates, shall be filed with Commission docket control pursuant to A.A.C.  
R14-3-204 and -205. If any documents that are filed are hand delivered during

1 the hearing, eleven copies shall be submitted to the Chairman for distribution to  
2 the other Committee Members.

3 21. Within five business days after the hearing concludes and the Committee renders  
4 its decision, the parties shall meet and confer in person or electronically to  
5 determine if they can agree upon the final wording of a proposed Certificate of  
6 Environmental Compatibility. If the parties can agree upon the final wording of a  
7 proposed Certificate of Environmental Compatibility, Applicant shall file forthwith  
8 the agreed upon proposed Certificate of Environmental Compatibility to the  
9 Chairman for signature. If the parties are not able to agree upon a proposed  
10 form of Certificate of Environmental Compatibility, the Applicant shall file, and  
11 the other parties may file, within ten days after the date of the decision of the  
12 Committee, those portions of the proposed Certificate of Environmental  
13 Compatibility upon which the parties agree. The Applicant also shall file, and any  
14 other party also may file, its understanding of any disputed portions of the  
15 proposed Certificate of Environmental Compatibility. All proposed forms of the  
16 Certificate of Environmental Compatibility and any objections or proposed  
17 revisions shall be filed with docket control of the Commission, and a copy shall  
18 be hand delivered to the office of the Chairman at 1275 W. Washington,  
19 Phoenix, Arizona. Objections or suggestions that are not timely filed shall be  
20 considered waived. The copy of the proposed Certificate of Environmental  
21 Compatibility filed by the Applicant and any proposed revisions filed by the  
22 parties that are served upon the Chairman shall include an electronic file  
23 containing the wording of the proposed language in a format compatible with  
24 Microsoft© Word word processing program.

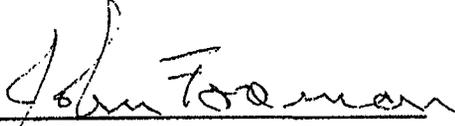
25 22. The Applicant and all other potential parties ("persons" within the meaning of  
26 A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to  
A.R.S. § 40-360.05(A)) shall meet with the Chairman for a final pre-hearing  
conference on July 24, 2009 beginning at 2:00 pm at the offices of the Attorney  
General of Arizona at 1275 W. Washington, Phoenix, Arizona. Parties other than  
the Applicant may appear by telephone with the prior permission of the  
Chairman. At the final pre-hearing conference, the Chairman will review with the  
parties:

- a. The publication and posting of notices of the hearing;
- b. The proposed agenda for the evidentiary hearing;
- c. Any notices to intervene, applications to intervene, and applications to make a limited appearance;
- d. The status of attempts to narrow the issues at the evidentiary hearing or to agree to language in the proposed findings of fact, proposed conclusions of law, proposed Certificates of Environmental Compatibility and proposed conditions to the Certificate;

- 1 e. The status of the filing and exchange of witness summaries or written  
2 testimony, proposed findings of fact, proposed conclusions of law,  
3 proposed Certificates of Environmental Compatibility and proposed  
4 conditions to the Certificate;  
5 f. The status of the exchange of exhibits amongst the parties;  
6 g. Any objections, motions, responses and legal memoranda that have been  
7 filed;  
8 h. Plans and preparations for the hearing, public comment session, and tour  
9 of the proposed site.

10  
11  
12 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of  
13 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing  
14 conference or at a hearing.  
15  
16  
17  
18  
19

20 DATED this 17<sup>th</sup> day of June, 2009

21  
22   
23 John Foreman  
24 Assistant Attorney General  
25 Chairman  
26 Arizona Power Plant and Transmission  
Line Siting Committee  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

27 Pursuant to A.A.C. R14-3-204,  
28 The Original and 25 copies were  
29 filed this 17<sup>th</sup> day of June, 2009 with:

30 Docket Control  
31 Arizona Corporation Commission  
32 1200 W. Washington St.  
33 Phoenix, AZ 85007  
34  
35  
36

1 Copy of the above mailed  
this 17<sup>th</sup> day of June, 2009 to:

2  
3 Janice Alward, Chief Counsel  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
Phoenix, AZ 85007  
Counsel for Legal Division Staff

6 Kenneth C. Sundlof, Jr.  
7 Jennings, Strouss & Salmon, PLC  
8 The Collier Center, 11<sup>th</sup> Floor  
9 201 East Washington Street  
Phoenix, AZ 85004-2385  
Counsel for Applicant, SRP

10 Gary Birnbaum  
11 Jim Braselton  
12 Mariscal, Weeks, McIntyre & Friedlander, PA  
13 2901 North Central Avenue, Suite 200  
Phoenix, AZ 85012  
Counsel for the Town of Queen Creek

14 Craig Marks  
15 Craig A. Marks, PLC  
16 10645 North Tatum Blvd, Suite 200-676  
Phoenix, AZ 85028  
Counsel for the City of Mesa

17 Kyle Mieras  
18 90 East Civic Center Drive  
19 Gilbert, AZ 85296  
Counsel for the Town of Gilbert

20 Lawrence V. Robertson, Jr.  
21 P.O. Box 1448  
22 2247 East Frontage Road  
23 Tubac, AZ 85646  
Counsel for Pinal County

24  
25  
26

1 Christopher Schmaltz  
Gust Rosenfeld, PLC  
2 201 East Washington Street, Suite 800  
Phoenix, AZ 85004  
3 Counsel for Phoenix-Mesa Gateway Airport

4 Francis Slavin  
5 Francis J. Slavin, PC  
2198 East Camelback Road, Suite 285  
6 Phoenix, AZ 85016  
Counsel for Jason Barney  
7

8 Scott Wakefield  
Ridenour, Hinton, Kelfhoffer & Lewis, PLLC  
9 201 North Central Avenue, Suite 3300  
Phoenix, AZ 85004-1052  
10 Counsel for Sandy Beeler

11 Rebecca Porter  
12 Gregory Miles  
Davis Miles, PLLC  
13 P.O. Box 15070  
Mesa, AZ 85211-3070  
14 Counsel for V & P Nurseries

15 Marta T. Hetzer  
16 Arizona Reporting Service, Inc.  
2200 North Central Avenue  
17 Phoenix, AZ 85004-1481

18

19

20

21

22

*Jana Williams*

23

24

25

26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

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

17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES, SECTIONS 40-360, et seq., FOR  
A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING  
CONSTRUCTION OF A 230 kV DOUBLE-  
CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR  
JUDD AND ATTAWAY ROADS IN PINAL  
COUNTY, TO THE PLANNED AND  
PERMITTED RS-17 SUBSTATION,  
ADJACENT TO THE EXISTING MOODY  
SUBSTATION, LOCATED NEAR PECOS AND  
RECKER ROADS, IN THE TOWN OF  
GILBERT, MARICOPA COUNTY, ARIZONA,  
AND INCLUDING A NEW 230/69 kV  
SUBSTATION NEAR THE INTERSECTION  
OF COMBS AND MERIDIAN ROADS, IN OR  
ADJACENT TO THE TOWN OF QUEEN  
CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

**PROCEDURAL ORDER**

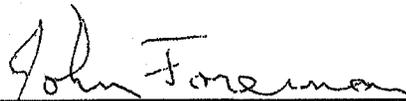
John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman ("Chairman") and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee ("Line Siting Committee") has been advised that Docket Control of the Arizona Corporation Commission is not sending copies of relevant filings to all "persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A) that are listed as parties or potential parties on pleadings or procedural orders filed by the Applicant or the Chairman. Neither the Line Siting Committee nor its Chairman has the power to direct Docket Control to mail one of the 25 copies of pleadings filed with Docket Control to parties or potential parties. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E), the Chairman issues the following procedural order,

IT IS ORDERED the Applicant and all "persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A) shall notify Docket Control of their desire to receive pleadings and orders in

1 this matter and shall regularly review the Docket Control file, or visit e-Docket online, to  
2 make sure they have received all pleadings and procedural orders relating to this case.

3 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of  
4 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing  
5 conference or at a hearing.  
6  
7

8 DATED this 22nd day of June, 2009  
9

10   
11 John Foreman  
12 Assistant Attorney General  
13 Chairman  
14 Arizona Power Plant and Transmission  
15 Line Siting Committee  
16 [john.foreman@azag.gov](mailto:john.foreman@azag.gov)

17 Pursuant to A.A.C. R14-3-204,  
18 The Original and 25 copies were  
19 filed this 22nd day of June, 2009 with:

20 Docket Control  
21 Arizona Corporation Commission  
22 1200 W. Washington St.  
23 Phoenix, AZ 85007

24 Copy of the above mailed  
25 this 22nd day of June, 2009 to:  
26

- 1 Janice Alward, Chief Counsel  
Arizona Corporation Commission
- 2 1200 West Washington Street  
Phoenix, AZ 85007
- 3 Counsel for Legal Division Staff
  
- 4 Kenneth C. Sundlof, Jr.  
Jennings, Strouss & Salmon, PLC
- 5 The Collier Center, 11<sup>th</sup> Floor  
201 East Washington Street
- 6 Phoenix, AZ 85004-2385  
Counsel for Applicant, SRP
  
- 8 Gary Birnbaum  
9 Jim Braselton  
Mariscal, Weeks, McIntyre & Friedlander, PA
- 10 2901 North Central Avenue, Suite 200  
Phoenix, AZ 85012  
11 Counsel for the Town of Queen Creek
  
- 12 Craig Marks  
13 Craig A. Marks, PLC  
10645 North Tatum Blvd, Suite 200-676
- 14 Phoenix, AZ 85028  
15 Counsel for the City of Mesa
  
- 16 Kyle Mieras  
90 East Civic Center Drive  
17 Gilbert, AZ 85296  
18 Counsel for the Town of Gilbert
  
- 19 Lawrence V. Robertson, Jr.  
P.O. Box 1448  
20 2247 East Frontage Road  
Tubac, AZ 85646  
21 Counsel for Pinal County
  
- 22 Christopher Schmaltz  
Gust Rosenfeld, PLC  
23 201 East Washington Street, Suite 800  
24 Phoenix, AZ 85004  
25 Counsel for Phoenix-Mesa Gateway Airport  
26

1 Francis Slavin  
Francis J. Slavin, PC  
2 2198 East Camelback Road, Suite 285  
Phoenix, AZ 85016  
3 Counsel for Jason Barney

4 Scott Wakefield  
5 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC  
201 North Central Avenue, Suite 3300  
6 Phoenix, AZ 85004-1052  
Counsel for Sandy Beeler

7  
8 Rebecca Porter  
Gregory Miles  
9 Davis Miles, PLLC  
P.O. Box 15070  
10 Mesa, AZ 85211-3070  
Counsel for V & P Nurseries

11  
12 Marta T. Hetzer  
Arizona Reporting Service, Inc.  
13 2200 North Central Avenue  
Phoenix, Arizona 85004-1481

14

15

16

17

18

19

Sara Williams

20

21

22

23

24

25

26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

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

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE REQUIREMENTS  
OF ARIZONA REVISED STATUTES, SECTIONS  
40-360, et seq., FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF A 230 kV  
DOUBLE-CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR JUDD  
AND ATTAWAY ROADS IN PINAL COUNTY,  
TO THE PLANNED AND PERMITTED RS-17  
SUBSTATION, ADJACENT TO THE EXISTING  
MOODY SUBSTATION, LOCATED NEAR  
PECOS AND RECKER ROADS, IN THE TOWN  
OF GILBERT, MARICOPA COUNTY,  
ARIZONA, AND INCLUDING A NEW 230/69 kV  
SUBSTATION NEAR THE INTERSECTION OF  
COMBS AND MERIDIAN ROADS, IN OR  
ADJACENT TO THE TOWN OF QUEEN  
CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**NOTICE OF HEARING**

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee ("Committee") regarding the application of Salt River Project Agricultural Improvement and Power District ("SRP" or "Applicant") for a Certificate of Environmental Compatibility authorizing the Abel-Moody 230 kV Transmission Project (the "Project").

The Project consists of approximately 20 miles of new 230 kV double-circuit transmission line and a 230/69 kV substation (referred to as RS-24) which will be located on approximately 25 acres near the intersection of Combs Road and Meridian Road. The Project will be located in the Queen Creek area. A general location map of the Applicant's preferred and alternative routes, described herein, is attached.

The hearing will be held at the ASU Polytechnic Campus, Cooley Ballroom in the Student Union Building, 7001 E. Williams Field Road, Mesa, Arizona 85212, (480) 727-1098. A map and directions to the Campus may be printed at <http://www.poly.asu.edu/union/documents/uniond.pdf>. The hearing is scheduled to begin Wednesday, August 5, 2009 at 9:30 a.m., and to continue as necessary on Thursday, August 6, 2009 and Friday, August 7, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on all days. Additional hearing days, if necessary, will be noticed on the Applicant and Arizona Corporation Commission ("ACC") websites.

The Applicant's website with Project information is: <http://www.azpower.org/abelmoody/>

1 The ACC Website is: [http://www.azcc.gov/AZ\\_Power\\_Plant/LineSiting-Calendar.asp](http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp)

2 **PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS AND AS**  
3 **PERMITTED BY THE COMMITTEE CHAIRMAN. IN ADDITION, A SEPARATE**  
4 **EVENING PUBLIC COMMENT SESSION WILL BE HELD AUGUST 5, 2009 AT 6:00**  
5 **P.M., ALSO AT THE ASU POLYTECHNIC CAMPUS, COOLEY BALLROOM IN THE**  
6 **STUDENT UNION BUILDING, 7001 E. WILLIAMS FIELD ROAD, MESA, ARIZONA**  
7 **85212.**

8 The proposed transmission line alignments in the northwestern section of the Project area begin at  
9 the Moody and RS-17 substations at or near the intersection of Recker Road and the Union Pacific  
10 Railroad on the north and ends near the intersection of Meridian Road and the Union Pacific  
11 Railroad on the south, near the southeast corner of the Town of Queen Creek. The southern  
12 section continues from the Meridian Road intersection south to the Abel Substation site. There are  
13 four proposed alignments in the northern section, some of which contain minor variations. There  
14 are three proposed alignments in the southern section.

15 Northern Section:

16 (1) Ryan Alignment (Preferred) – The Applicant’s preferred alignment begins near the Moody  
17 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-  
18 Schrader 230kV line along the canal (Nodes 1-2). The alignment then follows the Union Pacific  
19 Railroad (“UPRR”) right-of-way parallel to an existing 69kV line southeast to Ryan Road (Nodes  
20 2-43-11). The alignment then parallels Ryan Road to the east until it intersects Signal Butte Road  
21 (Nodes 11-12-13), turns south to the UPRR (Nodes 13-24) and parallels the UPRR to the  
22 southeast (Nodes 24-27). The Ryan alignment contains one sub-alternative that utilizes Meridian  
23 Road, rather than Signal Butte Road. This sub-alternative continues one-mile east on the Ryan  
24 alignment, then turns south along Meridian Road to the UPRR (Nodes 13-14-27). The Meridian  
25 sub-alternative is not part of the Applicant’s preferred alignment.

26 (2) Germann Alignment (Alternative) – This alternative alignment begins near the Moody 69kV  
27 Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader  
28 230kV Transmission Line along the canal (Nodes 1-2). The alignment then follows the UPRR  
29 right-of-way southeast to Germann Road (Nodes 2-43). The alignment then parallels Germann  
30 Road to the east until it intersects Signal Butte Road (Nodes 43-7-8), turns south to the UPRR and  
31 parallels the UPRR to Node 27 (Nodes 8-13-24-27). The Germann alignment contains a sub-  
32 alternative that parallels Meridian Road rather than Signal Butte Road. This sub-alternative  
33 continues one-mile east on the Germann alignment, then turns south along Meridian Road to the  
34 UPRR (Nodes 8-9-14-27).

35 (3) North-Railroad Alignment (Alternative) – This alternative alignment begins near the Moody  
36 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-  
37 Schrader 230kV Transmission Line along the canal (Nodes 1-2) and builds new structures parallel  
38 to, then follows the UPRR right-of-way from the RWCD canal to Combs Road (Nodes 2-43-11-  
39 24-27).

40 (4) Ocotillo Alignment (Alternative) – This alternative alignment begins with an interconnection  
41 into the existing Santan-Schrader 230kV line along the RWCD canal at Queen Creek Road (Node  
42 16). The alignment continues south, adjacent to the RWCD canal to Ocotillo Road (Nodes 16-  
43 87). At Ocotillo Road, the alignment turns east to Sonoqui Wash and follows the wash southeast  
44 to the intersection with Riggs Road (Nodes 87-88-81-79). The alignment then continues east to  
45 the UPRR and Combs Road intersection (Nodes 79-27). Two sub-alternatives exist within this

1 alternative. One extends east from the existing SRP Santan-Schrader 230kV Transmission Line  
2 along the RWCD canal using existing structures and conductor to Queen Creek Road (Node 16)  
3 and builds new structures east along Queen Creek Road, south along Higley Road to Ocotillo  
4 Road (Nodes 16-17-88). Another sub-alternative extends from Ocotillo south along Power Road  
5 to Riggs Road and then east (Nodes 81-51-79). This sub-alternative bypasses the Sonoqui Wash.

6 Southern Section:

7 (1) South-Railroad Alignment (Preferred) – The Applicant’s preferred alignment parallels the  
8 UPRR right-of-way from Meridian Road southeast to the intersection of the Magma Railroad  
9 right-of-way (Nodes 27-62-98). It then continues northeast along the Magma Railroad right-of-  
10 way to the Abel Substation site (Nodes 98-36).

11 (2) Combs Alignment (Alternative) – This alternative alignment begins at the UPRR at Meridian  
12 Road and continues east along Combs Road to Schnepf Road (Nodes 27-61). The alignment then  
13 follows Schnepf Road south to Skyline Road (Nodes 61-63). From Skyline Road, it continues  
14 east to Quail Run Lane before extending south to Judd Road (Nodes 63-66-35). At Judd Road,  
15 the route turns east to the Abel Substation site (Nodes 35-36).

16 (3) Skyline Alignment (Alternative) – This alternative alignment parallels the UPRR from  
17 Meridian Road southeast to Skyline Road and then departs from the UPRR at the intersection of  
18 Skyline Road (Nodes 27-62). The alignment continues east to Quail Run Lane before continuing  
19 south to Judd Road (Nodes 62-63-66-35). At Judd Road the route turns east to the Abel  
20 Substation site (Nodes 35-36).

21 More complete maps, along with more detailed textual descriptions of the proposed routes are  
22 available in the Application and on the Applicant’s website.

23 The Application that includes detailed maps of the proposed Project is on file with the Docket  
24 Control Center of the ACC, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007.  
25 Copies of the Application and Transcripts will also be available for inspection at the following  
26 locations:

27 Southeast Regional Library (Maricopa County): 775 N. Greenfield Rd., Gilbert, AZ 85234

Queen Creek Branch Library: 21802 S. Ellsworth Rd., Queen Creek, AZ 85242

Florence Library: 1000 S. Main St., Florence, AZ 85232

The Committee may conduct a tour of the Project area and the proposed routes – most likely to  
occur on August 6, 2009 starting at 8:30 a.m. If a tour is conducted, a map and itinerary for the  
tour will be available at the hearings. Members of the public may follow the Committee in their  
own private vehicles. During the tour, the Committee may hear brief testimony at stops on the  
tour from one or more witnesses concerning where the stops are located, what is visible at the  
stops and the relevance of the location and view to the proposed routes of the transmission line in  
the Application. No other discussion or deliberation concerning the Application will occur. A  
court reporter will transcribe any testimony taken on the tour.

Depending on the issues raised and the number of intervenors appearing during the hearing, the  
Committee may deem it appropriate at some point to recess the hearing to a time and place to be  
announced during the hearing, or to be determined after the recess, at which time and place the  
hearing will be resumed. These dates and places will be posted on the Project and ACC websites.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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.

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

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

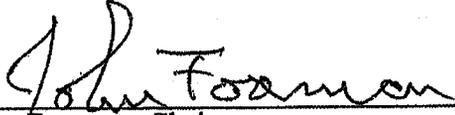
Any domestic, non-profit corporation or association, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote customer interests, to represent commercial and industrial groups, 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 proceedings must file with the ACC, 1200 West Washington Street, Phoenix, Arizona 85007, notice of its intent to be a party. That notice must be filed not less than ten (10) days before the date set for hearing.

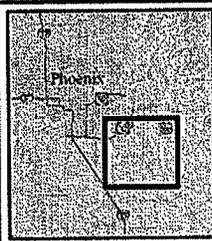
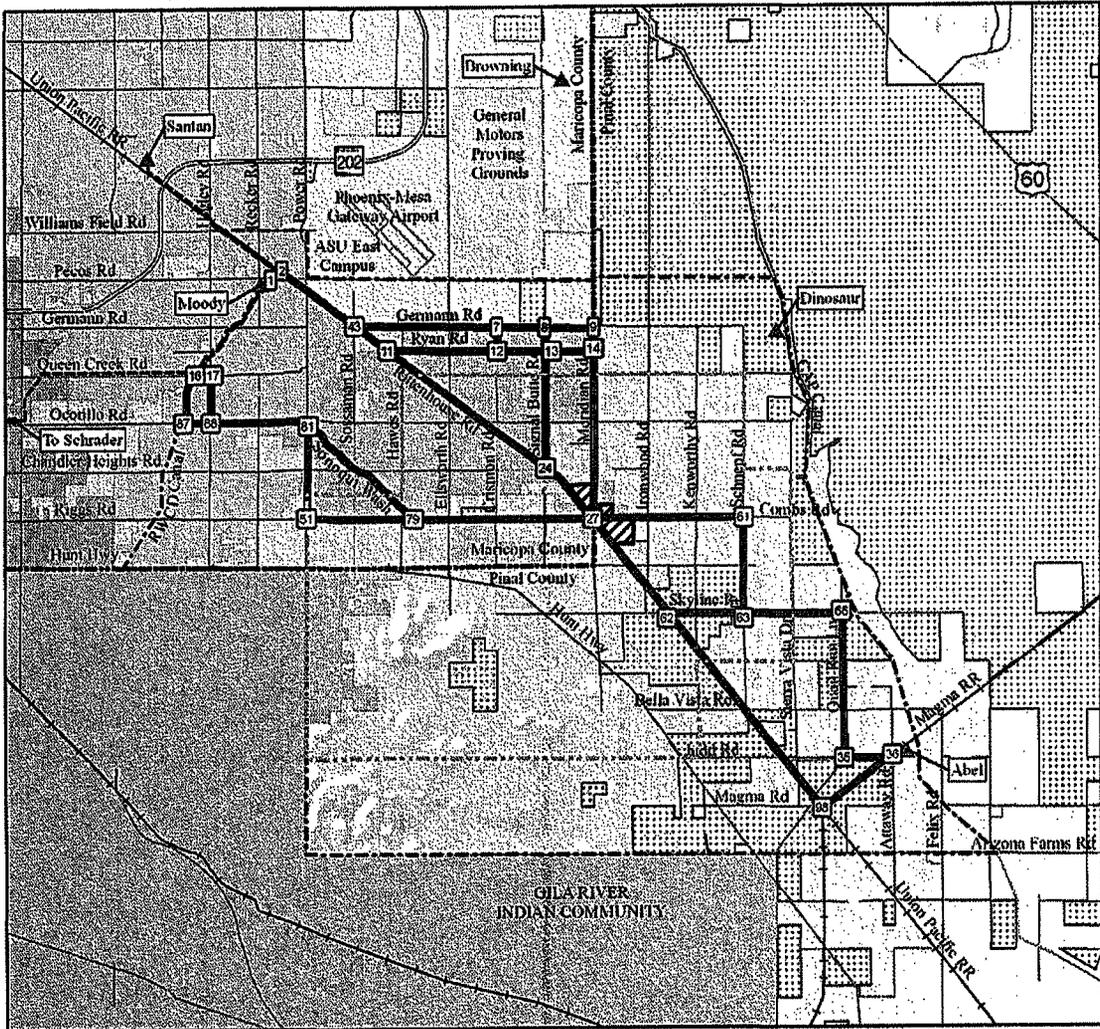
The Committee or its Chairman, at any time deemed appropriate, may make other persons parties to the proceeding.

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

This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-360.13 and Arizona Administrative Code R14-3-201 to R14-3-219. No substantive communication, not in the public record, may be made to any member of the Committee. The written decision of the Committee will be submitted to the ACC pursuant to A.R.S. § 40-360.07. Any person intending to be a party before the ACC must be a party to the certification proceedings before the Committee.

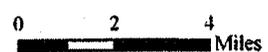
ORDERED this 16th day of June, 2009.

  
\_\_\_\_\_  
John Foreman, Chairman  
Arizona Power Plant and  
Transmission Line Siting Committee  
Assistant Attorney General



- Legend**
- Project Study Area
  - RS-24 Service Area
  - Alternative Alignments
  - Preferred Alignment
  - Substations
  - Nodes
  - RS-24 Potential Substation Sites
  - Santan-Schrader 230kV Transmission Line
  - Town of Gilbert
  - City of Mesa
  - Town of Queen Creek
  - Town of Florence
  - City of Chandler
  - Unincorporated County
  - Gila River Indian Community
  - State Trust Land

**Project Area**  
**Abel-Moody 230kV**  
**Transmission Project**



**From:** "AZRS" <azrs@az-reporting.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 6/23/2009 6:43 PM  
**Subject:** RE: #148 Agenda

Thank you.

Marta Hetzer @ AZRS  
602-274-9944

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

**From:** Tara Williams [mailto:Tara.Williams@azag.gov]  
**Sent:** Tuesday, June 23, 2009 2:24 PM  
**To:** Lawrence Robertson; Craig Marks; Janice Alward; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.  
**Cc:** AZRS; Michele Maser; Jana Brandt; Kelly Barr  
**Subject:** #148 Agenda

All,

Attached is the Agenda for this case, which was filed today with the Corporation Commission.

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

**CONFIDENTIALITY NOTICE:** This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

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

15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE REQUIREMENTS IF  
ARIZONA REVISED STATUTES, SECTIONS 40-  
360 *et seq.*, FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF A 230 kV  
DOUBLE-CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR JUDD  
AND ATTAWAY ROADS IN OINAL COUNTY, TO  
THE PLANNED AND PERMITTED RS-17  
SUBSTATION, ADJACENT TO THE EXISTING  
MOODY SUBSTATION, LOCATED NEAR PECOS  
AND RECKER ROADS, IN THE TOWN OF  
GILBERT, MARICOPA COUNTY, ARIZONA,  
INCLUDING A NEW 230/69 kV SUBSTATION  
NEAR THE INTERSECTION OF COMBS AND  
MERIDIAN ROADS, IN OR ADJACENT TO THE  
TOWN OF QUEEN CREEK, ARIZONA

Docket No. L-00000B-09-0311-00148

Case No. 148

**AGENDA**

25  
26  
27

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general public, the parties and the Arizona Power Plant and Transmission Line Siting Committee ("Committee") that the Committee will hold a meeting/hearing on the above numbered application that is open to the public on Wednesday, August 5, 2009, at 9:30 a.m. in the Cooley Ballroom of the Student Union Building at the ASU Polytechnic Campus, 7001 East Williams Field Road, Mesa, Arizona 85212; telephone: (480) 727-1098. The hearing will continue on Thursday, August 6, 2009, at 8:00 a.m., if a tour is taken, otherwise it will begin at 9:30 a.m. If the hearing has not concluded, it will continue on Friday, August 7, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. each day. Public comment will be taken during the hearing at times designated by the Chairman. Public comment also will be taken in a special evening session on August 5, 2009, at 6:00 p.m. at the same location. Additional days for the hearing may be set, or the hearing may conclude earlier than anticipated, depending upon the number of parties that intervene, the amount of testimony presented, the amount of public comment, and the time needed for deliberations by the Committee. As a part of the public meeting/hearing, members of the Committee will discuss the potential value of a tour, and, at the discretion of the Chairman of the Committee, may tour the proposed transmission line route for the project on August 6, 2009, beginning at 8:00 a.m. At the meeting/hearing, the Committee may consider, discuss, deliberate and/or vote on the matters on the Agenda. Items on the Agenda may be taken in a different order than listed as conditions require.

1. Call to Order;

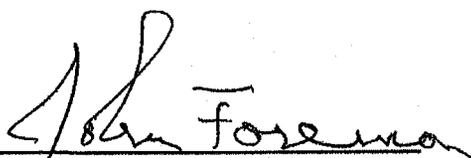
2. Roll Call;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

3. Consideration of and vote upon any requests to intervene;
4. Hearing on the application;
5. Public Comment;
6. Discussion of potential value of a tour of the proposed route;
7. If it is decided a tour would be valuable, the Committee will travel along the route, following an itinerary which will be available at the hearing. A detailed description of the tour route and itinerary, including a map, will be on file at the Arizona Corporation Commission. Members of the public may follow the Committee's tour by use of their own private vehicles. No testimony or discussion with or between Committee Members about the Application or matters relating to the Application will take place, except on the record before a court reporter at the designated stops. The Chairman of the Committee will make any procedural decisions concerning stops at different points of interest;
8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of Environmental Compatibility and conditions to the Certificate of Environmental Compatibility; and,
9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate of Environmental Compatibility and conditions to the Certificate of Environmental Compatibility;
10. Adjournment.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Shaylin Bernal, voice phone number: (602) 542-3931, e-mail: [sabernal@azcc.gov](mailto:sabernal@azcc.gov). Requests should be made as early as possible to arrange the accommodation. All materials relating to the hearing may be found at the Docket Control of the Arizona Corporation Commission, 1200 West Washington, Phoenix, AZ 85007, first floor.

DATED this 23<sup>rd</sup> day of June, 2009.

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

1 Pursuant to A.A.C. R14-3-204,  
2 The Original and 25 copies were  
3 filed this 23<sup>rd</sup> day of June, 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 23<sup>rd</sup> day of June, 2009 to:

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

15 Kenneth C. Sundlof, Jr.  
16 Jennings, Strouss & Salmon, PLC  
17 The Collier Center, 11<sup>th</sup> Floor  
18 201 East Washington Street  
19 Phoenix, AZ 85004-2385  
20 Counsel for Applicant, SRP

21 Gary Birnbaum  
22 Jim Braselton  
23 Mariscal, Weeks, McIntyre & Friedlander, PA  
24 2901 North Central Avenue, Suite 200  
25 Phoenix, AZ 85012  
26 Counsel for the Town of Queen Creek

27 Craig Marks  
28 Craig A. Marks, PLC  
29 10645 North Tatum Blvd, Suite 200-676  
30 Phoenix, AZ 85028  
31 Counsel for the City of Mesa

32 Kyle Mieras  
33 90 East Civic Center Drive  
34 Gilbert, AZ 85296  
35 Counsel for the Town of Gilbert

36 Lawrence V. Robertson, Jr.  
37 P.O. Box 1448  
38 2247 East Frontage Road  
39 Tubac, AZ 85646  
40 Counsel for Pinal County

1 Christopher Schmaltz  
2 Gust Rosenfeld, PLC  
3 201 East Washington Street, Suite 800  
4 Phoenix, AZ 85004  
5 Counsel for Phoenix-Mesa Gateway Airport

6 Francis Slavin  
7 Francis J. Slavin, PC  
8 2198 East Camelback Road, Suite 285  
9 Phoenix, AZ 85016  
10 Counsel for Jason Barney

11 Scott Wakefield  
12 Ridenour, Hienton, Kelhoffer & Lewis, PLLC  
13 201 North Central Avenue, Suite 3300  
14 Phoenix, AZ 85004-1052  
15 Counsel for Sandy Beeler

16 Rebecca Porter  
17 Gregory Miles  
18 Davis Miles, PLLC  
19 P.O. Box 15070  
20 Mesa, AZ 85211-3070  
21 Counsel for V & P Nurseries

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

26

27

28

29

30

31

32

33

34

35

36

37

Sara Williams

**From:** "Mary Walker" <mwalker@cgsuslaw.com>  
**To:** <b.slavin@fjslegal.com>, "craig.marks@azbar.org" <craig.marks@azar.org>, ...  
**Date:** 6/24/2009 4:25 PM  
**Subject:** Abel-Moody Transmission Project - Notice of Intent  
**Attachments:** 09 06 24 Gilberts Notice of Intent.pdf

**CC:** "William Sullivan" <wsullivan@cgsuslaw.com>  
All,

Attached is a copy of the Notice of Intent to be a Party that was filed on behalf of the Town of Gilbert today. Copies are being mailed to you as well.

Mary Walker  
Assistant to William P. Sullivan and Larry K. Udall  
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
501 East Thomas Road  
Phoenix, Arizona 85012  
(602) 393-1700

CONFIDENTIALITY / PRIVILEGE NOTICE: This transmission and any attachments are intended solely for the addressee. This transmission is covered by the Electronic Communications Privacy Act, 18 U.S.C. § 2510-2521. The information contained in this transmission is confidential in nature and protected from further use or disclosure under U.S. Pub. L. 106-102, 113 U.S. Stat. 1338 (1999), and may be subject to attorney-client or other legal privilege. Your use or disclosure of this information for any purpose other than that intended by its transmittal is strictly prohibited, and may subject you to fines and/or penalties under federal and state law. Anyone who receives this e-mail in error or in response to a general request for the client's public records or for the client's electronic communications shall not read the contents and shall return it immediately to Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C. 501 East Thomas Road, Phoenix, Arizona 85012-3205, phone (602) 393-1700 and facsimile (602) 393-1703.

THANK YOU FOR YOUR COOPERATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES, SECTIONS 40-360 et seq., FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING  
CONSTRUCTION OF A 230 kV DOUBLE-  
CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR  
JUDD AND ATTAWAY ROADS IN PINAL  
COUNTY, TO THE PLANNED AND  
PERMITTED RS-17 SUBSTATION,  
ADJACENT TO THE EXISTING MOODY  
SUBSTATION, LOCATED NEAR PECOS  
AND RECKER ROADS, IN THE TOWN OF  
GILBERT, MARICOPA COUNTY, ARIZONA,  
INCLUDING A NEW 230/69 kV SUBSTATION  
NEAR THE INTERSECTION OF COMBS AND  
MERIDIAN ROADS, IN OR ADJACENT TO  
THE TOWN OF QUEEN CREEK, ARIZONA.

DOCKET NO. L-00000B-09-0311-00148

Case No. 148

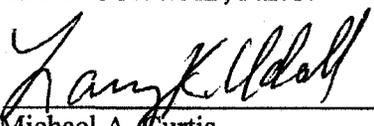
NOTICE OF INTENT TO BE A PARTY

Pursuant to A.R.S. § 40-360.05(A)(2), the Town of Gilbert ("Gilbert") hereby files its

Notice of Intent To Be A Party in the above-captioned and above-docketed proceeding.

DATED this 24<sup>th</sup> day of June, 2009.

CURTIS, GOODWIN, SULLIVAN,  
UDALL & SCHWAB, P.L.C.

By: 

Michael A. Curtis  
William P. Sullivan  
Larry K. Udall

501 East Thomas Road  
Phoenix, Arizona 85012-3205  
Attorneys for the Town of Gilbert

1 Pursuant to AAC R14-3-204, the original  
2 and twenty-five (25) copies of the foregoing  
3 Notice were filed this 24th day of June, 2009 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington  
6 Phoenix, Arizona 85007

6 COPY of the foregoing hand delivered/  
7 mailed this 24th day of June, 2009 to:

7 Janice Alward, Chief Counsel  
8 Legal Division  
9 Arizona Corporation Commission  
10 1200 West Washington Street  
11 Phoenix, AZ 85007

10 Lyn Farmer, ALJ  
11 Hearing Division  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, AZ 85007

14 Ernest Johnson, Director  
15 Utilities Division  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, AZ 85007

17 Kenneth C. Sundlof, Jr.  
18 Jennings, Strouss & Salmon, PLC  
19 The Collier Center, 11th Floor  
20 201 East Washington Street  
21 Phoenix, AZ 85004-2385

20 Gary Birnbaum  
21 Jim Braselton  
22 Mariscal, Weeks, McIntyre & Friedlander, PA  
23 2901 North Central Avenue, Suite 200  
24 Phoenix, AZ 85012

23 Craig Marks  
24 Craig A. Marks, PLC  
25 10645 North Tatum Blvd, Suite 200-676  
Phoenix, AZ 85028

1 Kyle Mieras  
90 East Civic Center Drive  
2 Gilbert, AZ 85296

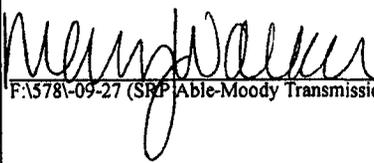
3 Lawrence V. Robertson, Jr.  
4 P.O. Box 1448  
2247 East Frontage Road  
5 Tubac, AZ 85646

6 Christopher Schmaltz  
Gust Rosenfeld, PLC  
7 201 East Washington Street, Suite 800  
Phoenix, AZ 85004

8 Francis Slavin  
9 Francis J. Slavin, PC  
2198 East Camelback Road, Suite 285  
10 Phoenix, AZ 85016

11 Scott Wakefield  
12 Ridenour, Hienton, Kelhoffer & Lewis, PLLC  
201 North Central Avenue, Suite 3300  
13 Phoenix, AZ 85004-1 052

14 Rebecca Porter  
Gregory Miles  
15 Davis Miles, PLLC  
P.O. Box 15070  
16 Mesa, AZ 8521 1-3070

17  
18   
19 F:\5781-09-27 (SRP\Able-Moody Transmission Line)\Pleadings\Notice of Intent.doc

20  
21  
22  
23  
24  
25