



0000101241

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 AUG -4 P 2:48
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 25, 2009.

DATED: August 4, 2009

Arizona Corporation Commission
DOCKETED

AUG - 4 2009

DOCKETED BY

John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed August 4, 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 4th day of August, 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, 11th Floor
18 201 East Washington Street
19 Phoenix, AZ 85004-2385
20 Counsel for Applicant, SRP

21 Robert Taylor
22 Salt River Project Agricultural Improvement & Power District
23 Regulatory Affairs & Contracts, PAB 221
24 P.O. Box 52025
25 Phoenix, AZ 85072-2025
26 Co-Counsel for Applicant, SRP

27 Gary Birnbaum
28 Jim Braselton
29 Mariscal, Weeks, McIntyre & Friedlander, PA
30 2901 North Central Avenue, Suite 200
31 Phoenix, AZ 85012
32 Counsel for the Town of Queen Creek

1 Craig Marks
2 Craig A. Marks, PLC
3 10645 North Tatum Blvd, Suite 200-676
4 Phoenix, AZ 85028
5 Counsel for the City of Mesa

6 William P. Sullivan
7 Larry K. Udall
8 Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
9 501 East Thomas Road
10 Phoenix, AZ 85012-3205
11 Counsel for the Town of Gilbert

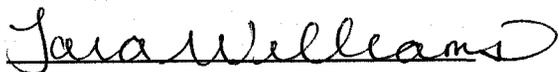
12 Kyle Mieras
13 90 East Civic Center Drive
14 Gilbert, AZ 85296

15 Lawrence V. Robertson, Jr.
16 P.O. Box 1448
17 2247 East Frontage Road
18 Tubac, AZ 85646
19 Counsel for Pinal County

20 Christopher Schmaltz
21 Gust Rosenfeld, PLC
22 201 East Washington Street, Suite 800
23 Phoenix, AZ 85004
24 Counsel for Phoenix-Mesa Gateway Airport

25 Gregory Miles
26 Shawn Nelson
Davis Miles, PLLC
P.O. Box 15070
Mesa, AZ 85211
Counsel for Vlachos

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

25 

From: "AZRS" <azrs@az-reporting.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 7/1/2009 1:40 PM
Subject: RE: #148 Filing

Thank you.

Marta Hetzer @ AZRS
602-274-9944

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

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Wednesday, July 01, 2009 1:02 PM
To: Lawrence Robertson; Craig Marks; Janice Alward; Larry Udall; William Sullivan; 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 Filing

I have attached a letter which was filed today with ACC Docket Control.

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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**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.

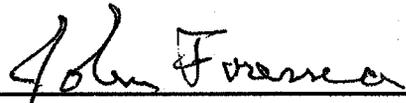
) Docket No. L-00000B-09-0311-00148

) Case No. 148

) **NOTICE OF FILING
CORRESPONDENCE**

Attached is a letter from the State Historic Preservation Office, dated June 24, 2009, which was received on this date by the Chairman of the Arizona Power Plant and Transmission Line Siting Committee.

DATED: July 1, 2009



John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed July 1, 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 1st day of July, 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, 11th 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

- 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

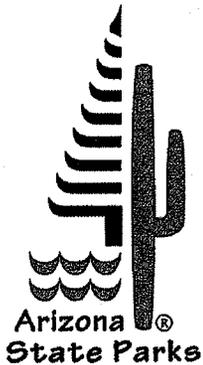
- 25 Scott Wakefield
- 26 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC
- 201 North Central Avenue, Suite 3300
- Phoenix, AZ 85004-1052
- Counsel for Sandy Beeler

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

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

Jana Williams



"Managing and conserving Arizona's natural, cultural and recreational resources"
June 24, 2009

John Foreman, Chairman
Arizona Power Plant and Transmission Line Siting Committee
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

RE: Salt River Project Abel-Moody 230 kV Transmission Line Project
Docket No. L-00000B-09-0311-00148
State Act Consultation
SHPO-2008-1280 (40245)

Mr. Foreman:

Janice K. Brewer
Governor

State Parks
Board Members

Chair
Reese Woodling
Tucson

Tracey Westerhausen
Phoenix

Larry Landry
Phoenix

Walter D. Armer, Jr.
Vail

Arlan Colton
Tucson

William C. Scalzo
Phoenix

Jamie Hogue
Acting State Land
Commissioner

Renée E. Bahl
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
AZStateParks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Thank you for consulting with the State Historic Preservation Office (SHPO) pursuant to A.R.S. § 41-864 for the Arizona Corporation Commission regarding an application by Salt River Project for a Certificate of Environmental Compatibility for their new 230 kV double-circuit transmission line and 230/69 kV substation in Maricopa and Pinal Counties, Arizona. We have reviewed the submitted materials and offer the following comments.

Our records indicate that vast majority of the project area has **not** been inspected for cultural resources. The proposed alternatives of the transmission line routes traverse an area along Queen Creek that prehistorically was the location of a number of very large habitation sites. We recommend that the **project area be inspected for cultural resources by a qualified archaeologist** in order to locate and evaluate any existing cultural remains within the project area. In addition, the Governor of Arizona's Executive Order 2006-14 regarding tribal consultation should be noted, given the tribal interests in the area where project area is located. The applicant is reminded that Arizona State Law requires that if human remains or burial goods are encountered during any ground-disturbing activities, even on private lands [i.e., A.R.S. § 41-865], work in the immediate vicinity must cease and the Director of the Arizona State Museum promptly notified.

We appreciate your cooperation with this office in considering the potential impacts of development on cultural resources situated in Arizona. If you have any questions or comments, please contact me at (602) 542-7140 or electronically at djacobs@azstateparks.gov.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

CC: Rick Anduze, SRP

From: John Foreman
To: Alward, Janice; Barney, Jason; Birnbaum, Gary; Braselton, Jim; Fix, ...
Date: 7/16/2009 9:51 AM
Subject: Fwd: RE: siting committee establish by commission chair is Asst. AG
Attachments: RE: siting committee establish by commission chair is Asst. AG

CC: Foreman, John; Williams, Tara

Please see attached:

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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From: John Foreman
To: Pritzker, Tracy
Date: 7/16/2009 9:14 AM
Subject: RE: siting committee establish by commission chair is Asst. AG

CC: Ellis, Susan; Williams, Tara

Ms. Pritzker,

Thank you for clarifying your interest. Since you are not interested in something pending before the Line Siting Committee, I can respond to your request.

As you correctly note, the Line Siting Committee has the power to grant or deny applications to originally place power transmission lines that are 115kV and above. So the first answer to your question is the Line Siting Committee is not the place that can do anything about your concerns, both because the line already exists and because its voltage is less than the amount that gives jurisdiction to the Committee. Nor am I as an Assistant Attorney General authorized to give you legal advice.

The regulation of all power delivery in Arizona by public utilities is the responsibility of the Arizona Corporation Commission. So I would encourage you to take your concerns to them. They are the only public agency that I am aware of that could influence the placement of an existing power line.

I am unaware of a specific statute that controls the placement of specific electric power distribution lines like the one you describe.

Also, the regulation of SRP is different than other utilities because it has a unique legal status. Sometimes it is treated as a private corporation and sometimes as a public entity like a municipal corporation. It does have a legal staff and public relations staff that might be able to give you an answer to your question from their point of view. If you have not already tried, you might try contacting Kelly Barr at the main SRP office.

John Foreman

>>> "Tracy Pritzker" <pritzker@cox.net> 7/15/2009 5:41 PM >>>

With all do respect Assistant Arizona Attorney General Mr. Foreman,

I contacted you because I understood that you are the current Asst. Attorney General of AZ. Not because you are the chair person of the Arizona Power Plant and Transmission Line Siting Committee. I am not familiar with the "Abel-Moody application #148." I am referring to a 69kv substation going up next to Ed-prize elementary school in Gilbert cross roads Baseline and Stapley.

I read the online AZ statues, 40-360 definitions and found that the ACC including its "committee chair person" does not have authority over said substation therefore; I contacted the States Assistant Attorney General. I am sorry if I did not make that clear in my earlier e-mail Mr. Foreman. I am not an attorney. I am however a mother, a wife, a veteran of this nation, a tax payer, and simply concerned that SRP can build 69kv substations next to schools, any school without any oversight from the city or State.

I am not someone who finds it easy interrupting the law sir... And that is why I call on you Mr. Foreman. I have read your stuff, I have read about the great things you do for this state and was praying for a little help in simply understanding how the wheels on the bus go round and round sir.

40-360 reads in the Definitions that "Transmission line" means a series of new structures erected above ground and supporting one or more conductors designed for the transmission of electric energy at nominal voltages of one hundred fifteen thousand volts or more. SRP, local, state, and federal legislators along with the ACC has made its self clear, "NO ONE HAS AUTHORITY OVER SRP when building these 69kv substations." They are the government as it goes.

Therefore my question was since this substation is less than 115k (not in the ACC authority) then simply where is it written sir that SRP can develop said substation "less than" one hundred fifteen thousand volts with zero oversight from local, state, and Federal authorities. Thing is, I can not challenge a bill if the bill doesn't exist. I can't talk with legislators about sponsoring an amendment to a bill if NO one can locate the bill. Someone mentioned billed 250 chapter 189 from 1971. Can you help me sir? Then of course there is the question about whether or not SRP is acting in a proprietary or governmental function with respect to this high voltage 69kv Substation. Until yesterday, I didn't learn how the ACC created a committee and certainly didn't know by law that the chair would be the states AG but unlike most, I took the time to learn with three children underfoot. So I hope you can help me Mr. Foreman.

With much respect,

Tracy Pritzker
Gilbert, AZ
480-588-7721

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

From: John Foreman [mailto:John.Foreman@azag.gov]
Sent: Wednesday, July 15, 2009 4:27 PM
To: Tracy Pritzker
Cc: tubaclawyer@aol.com; Susan Ellis; Tara Williams; craig.marks@azbar.org; JAlward@azcc.gov; wsullivan@cgsuslaw.com; gmiles@davismile.com; rporter@davismiles.com; b.slavin@fjslegal.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; mmaser@jsslaw.com; sundlof@jsslaw.com; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; wfix@phxmesagateway.org; sswakefield@rhhklaw.com
Subject: RE: siting committee establish by commission chair is Asst. AG

Dear Ms. Pritzker,
Apparently your e-mails refer to the substance of a matter pending before the Arizona Power Plant and Transmission Line Siting Committee. It is inappropriate for you to attempt to communicate with any member of the Committee, including me, about the substance of the matter while it is pending except at the hearing. My guess is the matter about which you are concerned is the Abel-Moody application #148 which is scheduled for hearing beginning on Wednesday, August 5, 2009 at 9:30 am at the Cooley Ballroom, ASU Polytechnic Campus, 7001 E. Williams Field Rd., Mesa, Arizona. All of the information about the hearing can be obtained through the docket control of the Arizona Corporation Commission or from one of the parties. The file is accessible on line at the Commission's website.

If you wish to have your thoughts considered by the Committee, I encourage you to take part in the public comment session at the hearing.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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except the sender.

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>>> "Tracy Pritzker" <pritzker@cox.net> 7/14/2009 3:30 PM >>>

Also > Is SRP Is acting in a proprietary or governmental function with respect to these high voltage 69kv substations without any oversight from local, state, or federal authorities? The Arizona Supreme Court has written of the District: The profits from the sale of electricity are used to defray the expense in irrigating these private lands for personal profit. Is the Supreme Court saying SRP Uses funds from consumers of electricity to fund projects for profit? We act as a governmental function when gathering funds for a service offered to paying consumers and redirect those same funds to fund proprietary projects for profit.

Dear Mr. John Foreman, please assist me in finding where it is written in the law that SALT RIVER PROJECT has the authority to erect above ground power lines and substations designed for the transmission of electric energy at voltages "less than" one hundred fifteen thousand volts with zero oversight from local, state, and Federal authorities. Regards, a concerned parent in Gilbert AZ, Tracy Pritzker. To see the issue please visit www.srpfightswithkids.blogspot.com <<http://www.srpfightswithkids.blogspot.com/>>

Tracy Pritzker
1032 West Windhaven Ave
Gilbert, AZ

40-360. Definitions

10. "Transmission line" means a series of new structures erected above ground and supporting one or more conductors designed for the transmission of electric energy at nominal voltages of one hundred fifteen thousand volts or more.

3. "Commission" means the Arizona corporation commission

4. "Committee" means the power plant and transmission line siting committee

A. The commission shall establish a power plant and transmission line siting committee of Arizona.

B. The committee shall consist of the following members:

1. State attorney General or the attorney general's designee.
2. Director of environmental quality or the director's designee.
3. Director of water resources or the director's designee.
4. Director of the energy office of the department of commerce or the director's designee.
5. Chairman of the Arizona corporation commission or the chairman's designee.

The attorney general or the attorney general's designee shall be chairman of the committee

FROM THE ACC WEBSIT SITING COMMITTEE IS AS FOLLOWS >

JOHN FOREMAN, Esq, serves as the Attorney General's deignee and, by stature, is the Committee Charir
http://www.cc.state.az.us/az_power_plant/Membership.asp

john.foreman@azag.gov

From: John Foreman
To: TubacLawyer@aol.com
Date: 7/24/2009 11:15 AM
Subject: Re: Today's Pre-Hearing Conference for Abel-Moody Transmission Project

CC: b.slavin@fjslegal.com; craig.marks@azbar.org; cschmaltz@gustlaw.com; ...
Please keep us advised.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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>>> <TubacLawyer@aol.com> 7/24/2009 11:11 AM >>>
Chairman Foreman:

We have just been advised that Interstate-10 is closed between Tucson and Phoenix for both east and west travel due to hazardous materials and a fatal accident. Mr. Robertson is diverting his route of travel to go through Florence in order to try and be at the Pre-Hearing Conference on time.

If you have any questions please feel free to contact me.

Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

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*****An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!

(<http://pr.atwola.com/promoclk/100126575x1222377105x1201454426/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072&hmpgID=62&bcd=JulyExcfooterNO62>)

From: <TubacLawyer@aol.com>
To: <John.Foreman@azag.gov>
Date: 7/24/2009 1:29 PM
Subject: Re: Today's Pre-Hearing Conference for Abel-Moody Transmission Project
CC: <Tara.Williams@azag.gov>

Chairman Foreman:

You're welcome.

Angela

In a message dated 7/24/2009 1:20:51 PM US Mountain Standard Time, John.Foreman@azag.gov writes:

Thank you for letting us know.

>>> <TubacLawyer@aol.com> 7/24/2009 1:19 PM >>>

Chairman Foreman:

I have just spoken with Mr. Robertson and he indicated he is on the 202 Loop westbound in the vicinity of McKellips Road, and that he believes (barring no further delays) he should be at the Pre-Hearing Conference on time.

Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

In a message dated 7/24/2009 11:17:47 AM US Mountain Standard Time, John.Foreman@azag.gov writes:

Please keep us advised.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

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*****A bad credit score is 600 & below. Checking won't affect your score. See now!
(<http://pr.atwola.com/promoclk/100126575x1222377105x1201454426/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072&hmpglD=62&bcd=JulyBadfooterNO62>)

From: Tara Williams
To: Michele R. Maser
Date: 7/27/2009 4:26 PM
Subject: Line Siting #148 Committee Availability

Michele,

The Committee has given me some dates for continuation that could work for them:

September 16, 22, 23, 24, 25, 29 and 30th are all most likely to work.

August 25 - 27 are also possible if they would work better for the parties.

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

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From: "AZRS" <azrs@az-reporting.com>
To: "John Foreman" <John.Foreman@AZAG.GOV>
Date: 7/27/2009 4:32 PM
Subject: RE: #148 POSITION CHART

Thank you very much.

Marta Hetzer @ AZRS

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

Arizona Reporting Service, Inc.
Court Reporting & Videoconferencing Center
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From: John Foreman [mailto:John.Foreman@azag.gov]
Sent: Monday, July 27, 2009 1:42 PM
To: Lawrence Robertson; Craig Marks; Janice Alward; Larry Udall; William Sullivan; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.; Robert Taylor
Cc: AZRS; Susan Ellis; Tara Williams; Michele Maser; Jana Brandt; Kelly Barr
Subject: #148 POSITION CHART

Counsel,

I have attached a chart showing the positions of the parties on the various alternatives found on page 5 of the Application, and a column headed RS-24 that refers to the location of the proposed sub-station. Please fill this chart out completely for your client and return it to me before the start of the hearing on August 5. The charts will be combined and provided to the members of the Committee so they can follow your opening statements.

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If you have questions, contact Tara Williams.

I will make a determination of the order of presentation of evidence and questioning based in part on your responses, so please get them in by Monday, August 3.

John Foreman

Assistant Arizona Attorney General

Chair, Arizona Power Plant and Transmission Line Siting Committee

1275 W. Washington

Phoenix, AZ 85007

Tel: 602-542-7902

FAX: 602-542-4377

john.foreman@azag.gov

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Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Party	Alignment:	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
SRP	Need												
Pinal County		S									S		
Gilbert		A		S		O	O				S	A	A
Mesa		S		O									
Phx-Mesa Gateway													
Queen Creek		O		S									
Vlachos		A (if line South of Ryan)		O		S	A						

S = Support
A = Accept
O = Oppose
NP = No Position

N = North
M = Middle
S = South

From: John Foreman
To: Slavin, Buzz; TubacLawyer@aol.com
Date: 7/30/2009 2:03 PM
Subject: RE: Today's Pre-Hearing Conference for Abel-Moody Transmission Project

CC: craig.marks@azbar.org; cschmaltz@gustlaw.com; ejohnson@azcc.gov; gary...
We can arrange for you to make your comments after the opening statements. Please remind me at the hearing.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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>>> "Buzz Slavin" <b.slavin@fislegal.com> 7/30/2009 12:30 PM >>>
Judge Foreman - Our firm represents 4 separate owners of land which would be potentially impacted by the eventual location selected/recommended by the Committee. Our clients decided not to become intervenors, but will present during the general public comment segment of the Committee hearings. We understand that each affected landowner will be allotted 3 minutes to present its position. All of these clients share at least a common interest as to certain proposed alignments, but all of their interests are not the same. They have agreed that I may combine their respective 3-minute segments so as to speak for a total of 12 minutes for all of their interests. Would you please confirm whether or not this time-sharing agreement is acceptable? Thank you Buzz Slavin

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

From: John Foreman [mailto:John.Foreman@azag.gov]
Sent: Friday, July 24, 2009 11:16 AM
To: TubacLawyer@aol.com
Cc: craig.marks@azbar.org; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; b.slavin@fislegal.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; MMaser@jsslaw.com; sundlof@jsslaw.com; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; wfix@phxmesagaeway.org; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com
Subject: Re: Today's Pre-Hearing Conference for Abel-Moody Transmission Project

Please keep us advised.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007

Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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>>> <TubaLawyer@aol.com> 7/24/2009 11:11 AM >>>
Chairman Foreman:

We have just been advised that Interstate-10 is closed between Tucson and Phoenix for both east and west travel due to hazardous materials and a fatal accident. Mr. Robertson is diverting his route of travel to go through Florence in order to try and be at the Pre-Hearing Conference on time.

If you have any questions please feel free to contact me.

Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

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received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by the sender for any loss or damage arising in any way from its use.

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From: <TubacLawyer@aol.com>
To: <John.Foreman@azag.gov>
Date: 7/30/2009 5:16 PM
Subject: Re: #148 POSITION CHART
Attachments: #148POSITIONCHART- lvr red 2.doc

CC: <craig.marks@azbar.org>, <JAlward@azcc.gov>, <LUdall@cgsuslaw.com>, <wsu...

Chairman Foreman:

Attached is the Position Chart your transmitted to the parties on July 27, 2009, as completed by me to reflect Pinal County's current position(s) in Siting Case No. 148. As you will note, three (3) of those position(s) have accompanying footnote indicators. The text for those footnotes appears on the associated Footnotes Appendix.

Larry Robertson

In a message dated 7/27/2009 1:42:59 PM US Mountain Standard Time, John.Foreman@azag.gov writes:

Counsel,

I have attached a chart showing the positions of the parties on the various alternatives found on page 5 of the Application, and a column headed RS-24 that refers to the location of the proposed sub-station. Please fill this chart out completely for your client and return it to me before the start of the hearing on August 5. The charts will be combined and provided to the members of the Committee so they can follow your opening statements. In the column headed RS-24 please indicate whether you prefer the substation to be built N=northwest of the intersection of Riggs Rd. and Meridian Rd., M=middle or northeast of Riggs Rd. and Meridian Rd., or S=southeast of Riggs Rd. and Meridian Rd. If you have a more refined position, indicate N, M or S with a footnote and then at the bottom of the page say where in the area designated you want the substation. If you have refinements of the other options, again drop a footnote with an explanation at the bottom, e.g., at least one party supported a route with the line on one side of the road but not the other.

If you have questions, contact Tara Williams.

I will make a determination of the order of presentation of evidence and questioning based in part on your responses, so please get them in by Monday, August 3.

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Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov (mailto:john.foreman@azag.gov)

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(<http://pr.atwola.com/promoclk/100126575x1223105306x1201716871/aol?redir=http:%2F%2Faltfarm.mediaplex.com%2Fad%2Fck%2F12309%2D81939%2D1629%2D9>)

Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Party	Need	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
SRP													Formatted
Pinal County	A	NP	O ¹	NP	O ¹	NP	NP	NP	NP	N-S ² M-O S-O	S	O	O
Gilbert		A		S		O					S	A	A
Mesa		S		O									
Phx-Mesa Gateway													
Queen Creek		O		S									
Vlachos		A (if line South of Ryan)		O		S	A						

S = Support
A = Accept
O = Oppose
NP = No Position

N = North
M = Middle
S = South

¹ See attached Footnotes Appendix
² See attached Footnotes Appendix

FOOTNOTE(S) APPENDIX

¹ Pinal County is concerned that any transmission alignment along Meridian Road between Nodes 9 to 14 to 27 could jeopardize or adversely affect the future use of that portion of Meridian Road as a Regionally Significant Route for Safety and Mobility ("RSRSM") in Pinal County. RSRSMs are the subject of a December 2008 Final Report which was produced by Pinal County and twenty-one (21) other governmental entities located within Pinal County and northern Pima County.

² Pinal County is currently investigating with certain other parties to Siting Case No. 148 a suitable substation site within this area. The results of that investigation (and any associated exterior design and landscaping recommendations) may not be known as of the time hearings begin on August 5, 2009 in Siting Case No. 148.

From: "Christopher Schmaltz" <cschmaltz@gustlaw.com>
To: "John Foreman" <John.Foreman@AZAG.GOV>
Date: 7/31/2009 10:29 AM
Subject: RE: #148 POSITION CHART

Mr. Chair,

An entry of NP - No Position should be made in each column for the Phoenix-Mesa Gateway Airport Authority.

Thank you.

Chris

Christopher A. Schmaltz
Gust Rosenfeld P.L.C.
201 E. Washington, Suite 800
Phoenix, AZ 85004-2327
602.257.7480 (direct)
602.254.4878 (fax)

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From: John Foreman [mailto:John.Foreman@azag.gov]
Sent: Monday, July 27, 2009 1:42 PM
To: Lawrence Robertson; Craig Marks; Janice Alward; Larry Udall; William Sullivan; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.; Robert Taylor
Cc: Marta Hetzer; Susan Ellis; Tara Williams; Michele Maser; Jana Brandt; Kelly Barr
Subject: #148 POSITION CHART

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John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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From: "Maser, Michele R." <MMaser@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 8/3/2009 5:29 AM
Subject: RE: Line Siting #148 Committee Availability

Tara,

Based upon the responses I have received to date, August 26th and September 16th are available for a continuation of the hearing.

Michele

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

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Monday, July 27, 2009 4:26 PM
To: Maser, Michele R.
Subject: Line Siting #148 Committee Availability

Michele,

The Committee has given me some dates for continuation that could work for them:

September 16, 22, 23, 24, 25, 29 and 30th are all most likely to work.

August 25 - 27 are also possible if they would work better for the parties.

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

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From: "Craig Marks" <craig.marks@azbar.org>
To: "John Foreman" <John.Foreman@azag.gov>
Date: 8/3/2009 8:41 AM
Subject: RE: #148 POSITION CHART
Attachments: Craig A Marks.vcf; 090803 City of Mesa #148 POSITION CHART.doc

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Susan Ellis" <Susan.Ellis@a...
Chairman Foreman,

As you requested, I have filled in the City of Mesa's positions in the position chart you distributed to the parties last Monday. The City will file its testimony summaries and proposed exhibits tomorrow.

Craig Marks

Craig A. Marks

10645 N. Tatum Blvd.

Suite 200-676

Phoenix, AZ 85028

Craig.Marks@azbar.org

(480) 367-1956 Office

(480) 367-1956 Fax

(480) 518-6857 Cell

CraigAMarksPLC.com <<http://craigamarksplc.com/>>

LinkedIn Profile <<http://www.linkedin.com/in/craigamarks>>

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From: John Foreman [mailto:John.Foreman@azag.gov]

Sent: Monday, July 27, 2009 1:42 PM

To: Lawrence Robertson; Craig Marks; Janice Alward; Larry Udall; William Sullivan; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.; Robert Taylor

Cc: Marta Hetzer; Susan Ellis; Tara Williams; Michele Maser; Jana Brandt; Kelly Barr

Subject: #148 POSITION CHART

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John Foreman

Assistant Arizona Attorney General

Chair, Arizona Power Plant and Transmission Line Siting Committee

1275 W. Washington

Phoenix, AZ 85007

Tel: 602-542-7902

FAX: 602-542-4377

john.foreman@azag.gov

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Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Party	Alignment:	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
	Need												
SRP													
Pinal County Gilbert													
Mesa	NP	O ¹	O	O	O	S	NP	NP	NP	NP	NP	NP	NP
Phx-Mesa Gateway													
Queen Creek													
Vlachos													

¹ For the many reasons given in its testimony, the City of Mesa's City is strongly opposed to either of the Germann Road alignments and prefers the low-cost alternative: the North RR alignment. The Ryan alignments would be more expensive than the North RR alignment, which makes them less attractive. However,

S = Support
A = Accept
O = Oppose
NP = No Position

N = North
M = Middle
S = South

they would be significantly better than the Germann alignments because they would not interfere with Gateway Airport's present or future operation and would not adversely impact present and future residential, commercial, and light-industrial developments along Germann Rd.

S = Support

A = Accept

O = Oppose

NP = No Position

N = North

M = Middle

S = South

From: "JIM BRASELTON" <Jim.Braselton@mwmf.com>
To: "Craig Marks" <craig.marks@azbar.org>, "John Foreman" <John.Foreman@azag...>
Date: 8/3/2009 2:47 PM
Subject: RE: Town of Queen Creek's #148 POSITION CHART
Attachments: Chart and notes.pdf

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Susan Ellis" <Susan.Ellis@azag...>
Chairman Foreman,

Attached is the Town of Queen Creek's Position Chart and footnotes.

Jim

Town of Queen Creek's Position Statement

Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Party	Alignment:	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
SRP	Need											
Pinal County		S								S		
Gilbert		A		S		O	O			S	A	A
Mesa		S		O								
Phx-Mesa Gateway												
Queen Creek		O	O	S*	S*	S - to Germann only, then east	O	O	N**	S - South of Meridian only	O	NP
Vlachos		A (if line South of Ryan)		O		S	A					
	S = Support											
	A = Accept											
	O = Oppose											
	NP = No Position											
									N = North			
									M = Middle			
									S = South			

SEE NOTES ATTACHED

NOTES

(TOWN OF QUEEN CREEK)

- *The Queen Creek Town Council has expressed support for a Germann Road alignment with Meridian as the N/S route. Signal Butte is a less desirable alternative for the N/S segment.

- **Queen Creek favors a location within the northern area of the northern-most proposed substation site. A specific location plan exhibit will be submitted.

From: Tara Williams
To: Alward, Janice; Birnbaum, Gary; Braselton, Jim; Marks, Craig; Mieras...
Date: 8/3/2009 3:40 PM
Subject: Line Siting #148 Hearing

CC: Barr, Kelly; Brandt, Jana; Maser, Michele
Parties,

I have been asked to remind everyone to please bring an additional copy of all exhibits for the court reporter to the #148 hearings.

Please contact me 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

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From: "Christopher Schmaltz" <cschmaltz@gustlaw.com>
To: "John Foreman" <John.Foreman@azag.gov>, "Lawrence Robertson" <TubacLawye...>
Date: 8/3/2009 3:42 PM
Subject: RE: #148 POSITION CHART

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Susan Ellis" <Susan.Ellis@azag....>

Mr. Chair,

I resend this email as I realized that not everyone on the email list received my response.

An entry of NP - No Position should be made in each column for the Phoenix-Mesa Gateway Airport Authority.

Thank you.

Chris

Christopher A. Schmaltz
Gust Rosenfeld P.L.C.
201 E. Washington, Suite 800
Phoenix, AZ 85004-2327
602.257.7480 (direct)
602.254.4878 (fax)

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Subject: #148 POSITION CHART

Counsel,

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In the column headed RS-24 please indicate whether you prefer the substation to be built N=northwest of the intersection of Riggs Rd. and Meridian Rd., M=middle or northeast of Riggs Rd. and Meridian Rd., or S=southeast of Riggs Rd. and Meridian Rd. If you have a more refined position, indicate N, M or S with a footnote and then at the bottom of the page say where in the area designated you want the substation. If you have refinements of the other options, again drop a footnote with an explanation at the bottom, e.g., at least one party supported a route with the line on one side of the road but not the other.

If you have questions, contact Tara Williams.

I will make a determination of the order of presentation of evidence and questioning based in part on your responses, so please get them in by Monday, August 3.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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From: "Craig Marks" <craig.marks@azbar.org>
To: "Maser, Michele R." <MMaser@jsslw.com>
Date: 8/3/2009 3:56 PM
Subject: RE: Pinal County's Exhibit PC-1
Attachments: Craig A Marks.vcf

CC: <John.Foreman@azag.gov>, <b.slavin@fjslegal.com>, <Tara.Williams@azag.go...
Michele,

Mesa will have two short exhibits, a three-pager and a four pager. We will file those tomorrow with docket control per the schedule. For the notebooks we could either bring the copies to the hearing, or I could e-mail you the pdfs tomorrow morning for you to make the copies and put them in the notebooks. What is your preference?

Craig

Craig A. Marks
10645 N. Tatum Blvd.
Suite 200-676
Phoenix, AZ 85028
Craig.Marks@azbar.org
(480) 367-1956 Office
(480) 367-1956 Fax
(480) 518-6857 Cell

CraigAMarksPLC.com <<http://craigamarksplc.com/>>

LinkedIn <<http://www.linkedin.com/in/craigamarks>> Profile

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From: Maser, Michele R. [mailto:MMaser@jsslaw.com]
Sent: Monday, August 03, 2009 3:46 PM
To: TubacLawyer@aol.com; Sundlof Jr., Kenneth C.
Cc: John.Foreman@azag.gov; b.slavin@fjslegal.com; Tara.Williams@azag.gov; craig.marks@azbar.org; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; wfix@phxmesagaaway.org; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com
Subject: RE: Pinal County's Exhibit PC-1

Hi Larry,

We will include the exhibit with the hearing exhibit notebooks. Thank you for sending this to us.

Michele

From: TubacLawyer@aol.com [mailto:TubacLawyer@aol.com]
Sent: Monday, August 03, 2009 3:40 PM
To: Sundlof Jr., Kenneth C.
Cc: John.Foreman@azag.gov; b.slavin@fjslegal.com; Tara.Williams@azag.gov; craig.marks@azbar.org; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; Maser, Michele R.; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; wfix@phxmesagaaway.org; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com
Subject: Pinal County's Exhibit PC-1

Dear Ken,

Set forth below is the link for a document that Pinal County would like to have included in the Exhibit Notebooks that you are preparing. The document is entitled "Regionally Significant Routes for Safety and Mobility," Final Report, December 2008. This is the document that was referred to in Footnote 1 of the Position Chart completed by Pinal County and transmitted to Chairman Foreman on July 31, 2009; and, Pinal County intends to offer it

as its Exhibit PC-1. As of this juncture, I do not anticipate Pinal County offering any other exhibits.

Please advise me in the event that Salt River Project is unable to include this document within the Exhibit Notebooks which are currently being prepared.

Larry

<http://pinalcountyaz.gov/Departments/PublicWorks/Documents/Form/RSRSM%20FINAL%20REPORT.pdf>

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From: "William Sullivan" <wsullivan@cgsuslaw.com>
To: "John Foreman" <John.Foreman@azag.gov>, "Lawrence Robertson" <TubacLawye...>
Date: 8/3/2009 4:46 PM
Subject: RE: #148 POSITION CHART
Attachments: #148 POSITION CHART (Gilbert).DOC

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Susan Ellis" <Susan.Ellis@azag....>
 Mr. Chairman,

Per your request, attached is the completed chart by the Town of Gilbert.

William P. Sullivan

Curtis, Goodwin, Sullivan,

Udall & Schwab, PLC

501 East Thomas Road

Phoenix, Arizona 85012

Phone: (602) 393-1700

Facsimile: (602) 393-1703

E-mail: wsullivan@cgsuslaw.com

From: John Foreman [mailto:John.Foreman@azag.gov]
 Sent: Monday, July 27, 2009 1:42 PM
 To: Lawrence Robertson; Craig Marks; Janice Alward; Larry Udall; William Sullivan; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.; Robert Taylor
 Cc: Marta Hetzer; Susan Ellis; Tara Williams; Michele Maser; Jana Brandt; Kelly Barr
 Subject: #148 POSITION CHART

Counsel,

I have attached a chart showing the positions of the parties on the various alternatives found on page 5 of the Application, and a column headed RS-24 that refers to the location of the proposed sub-station. Please fill this chart out completely for your client and return it to me before the start of the hearing on August 5. The charts will be combined and provided to the members of the Committee so they can follow your opening statements.

In the column headed RS-24 please indicate whether you prefer the substation to be built N=northwest of the intersection of Riggs Rd. and Meridian Rd., M=middle or northeast of Riggs Rd. and Meridian Rd., or S=southeast of Riggs Rd. and Meridian Rd. If you have a more refined position, indicate N, M or S with a footnote and then at the bottom of the page say where in the area designated you want the substation. If

you have refinements of the other options, again drop a footnote with an explanation at the bottom, e.g., at least one party supported a route with the line on one side of the road but not the other.

If you have questions, contact Tara Williams.

I will make a determination of the order of presentation of evidence and questioning based in part on your responses, so please get them in by Monday, August 3.

John Foreman
Assistant Arizona Attorney General
Chair, Arizona Power Plant and Transmission Line Siting Committee
1275 W. Washington
Phoenix, AZ 85007
Tel: 602-542-7902
FAX: 602-542-4377
john.foreman@azag.gov

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THANK YOU FOR YOUR COOPERATION

Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Party	Alignment:	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
SRP	Need												
Pinal County													
Gilbert	A	A	A	A	A	O	O	O	O	N	A	A	A
Mesa													
Phx-Mesa Gateway													
Queen Creek													
Vlachos													

S = Support
A = Accept
O = Oppose
NP = No Position

N = North
M = Middle
S = South

From: <TubaLawyer@aol.com>
To: <John.Foreman@azag.gov>
Date: 8/3/2009 5:06 PM
Subject: Re: Pinal County's Exhibit PC-1
Attachments: Summary of Direct Testimony of M. Gonzalez.doc

CC: <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <craig.marks@azbar.or...
 Chairman Foreman,

Attached is a summary of the Direct Testimony of Manuel ("Manny") T. Gonzalez on behalf of Pinal County. In that regard, and with reference to the final paragraph in the attached prepared Direct Testimony, Pinal County is currently working with several other parties in putting together the details for recommended screening and landscaping for the RS-24 Substation site that said parties will be proposing in the area northwest of Node 27. At present, I do not know when those details will be finalized, inasmuch as another party is taking the lead on that task.

Larry Robertson

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**SUMMARY OF
DIRECT TESTIMONY
OF
MANUEL ("MANNY") T. GONZALEZ**

Manuel ("Manny") T. Gonzalez is an Assistant County Manager for Pinal County, Arizona. Mr. Gonzalez's areas of responsibility include (i) overseeing Pinal County's interests in connection with electric generation and electric transmission facilities projects, which have a Pinal County nexus; and, (ii) coordinating the development and presentation of such position(s) as Pinal County may have in proceedings before the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") and the Arizona Corporation Commission ("Commission") relating to the proposed siting and construction of electric generation and electric transmission facilities. Mr. Gonzalez has previously testified before the Siting Committee in Siting Case No. 136, and before the Commission in connection with Siting Case No. 126.

In Siting Case No. 148, Mr. Gonzalez will present testimony in support of Salt River Projects' ("SRP") Preferred Route as it proceeds from Node 27 to Node 62 to Node 98 to Node 36. In that regard, he will also indicate that Pinal County is opposed to SRP's alternative transmission alignments which would use (i) Combs Road between Node 27 and Node 61, (ii) Schnepf Road between Node 61 and Node 63, (iii) Skyline Road from Node 62 to Node 63 to Node 66, (iv) Quail Run Lane from Node 66 to Node 35, and (v) Judd Road from Node 35 to Node 36.

In addition, Mr. Gonzalez will present testimony as to why Pinal County is concerned about, and thus opposes, any alternative transmission line alignment which contemplates the use of Meridian Road. That concern is in large measure predicated upon the potential adverse impact(s) that a double-circuit 230 kV line adjacent to Meridian Road could have upon the future use of Meridian Road as a Regionally Significant Route for Safety and Mobility ("RSRSM"), as contemplated in a December 2008 Final Report on RSRSMs, as prepared by Pinal County and twenty-one (21) other governmental entities in Pinal County and northern Pima County.

Finally, Mr. Gonzalez will present testimony in support of the proposed RS-24 Substation site in the area northwest of Node 27; and, he will indicate why Pinal County opposes the location of a substation in the areas southeast and northeast of Node 27.

From: "Craig Marks" <craig.marks@azbar.org>
To: <John.Foreman@azag.gov>
Date: 8/4/2009 11:45 AM
Subject: Mesa's Hearing Exhibits
Attachments: Craig A Marks.vcf; 090803 Exhibit ME-1.pdf; 090803 Exhibit ME-2.pdf

CC: <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <ejohnson@azcc.gov>, ...
Chairman Foreman,

I am attaching copies of the two exhibits that the City of Mesa plans to offer at the hearing. We will be filing these at the Commission later today. SRP has agreed to make copies to include in the evidentiary binders.

I will shortly be circulating copies of our testimony summaries.

Thank you.

Craig Marks

Craig A. Marks

10645 N. Tatum Blvd.

Suite 200-676

Phoenix, AZ 85028

<mailto:Craig.Marks@azbar.org> Craig.Marks@azbar.org

(480) 367-1956 Office

(480) 367-1956 Fax

(480) 518-6857 Cell

<<http://craigamarksplc.com/>> CraigAMarksPLC.com

<<http://www.linkedin.com/in/craigamarks>> LinkedIn Profile

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**Amended Responses of Salt River Project
to
First Set of Data Requests
from
City of Mesa
Submitted July 26, 2009**

1-1. *Please refer to the following statement on page 3 of SRP's application:*

The estimated cost for the alternative alignments will vary. Assuming the ability to use standard structures, however, the costs of alternative alignments are not expected to vary substantially from the preferred alignment.

Please provide detailed cost estimates for each of the following North of RS-24 Proposed Alignments (as that phrase is used in the application):

- a. Ryan Alignment (Preferred)*
- b. Ryan Alignment (Meridian Road sub-alternative)*
- c. Germann Alignment*
- d. Germann Alignment (Meridian Road sub-alternative)*
- e. North-Railroad Alignment*

Please break down each of the estimates for these proposed alignments to include detailed component requirements (poles, wire, insulator, guys, and other structures), land-acquisition costs, construction costs, traffic-control costs, permits, overheads, and contingencies. Please include the cost-effects of potential pole-height restrictions referenced in the Williams Aviation Study included as Exhibit J-2 to the Application.

RESPONSE

The following is the total miles for each alignment and the approximate cost for each alignment. The total cost includes engineering costs, right of way procurement costs, material and construction costs and is as of the date in responding to this request. At this state of the Project we have not done the type of detailed engineering to provide you with a more detailed breakdown of the costs.

- a. Ryan Alignment (Preferred) – This alignment is 10.06 miles and the cost for this alignment is approximately \$21,586,260.
- b. Ryan Alignment (Meridian Road sub-alternative) – This alignment is 10.67 miles and the cost is approximately \$22,940,360.
- c. Germann Alignment – This alignment is 10.38 miles and the cost is approximately \$23,548,040.

**Amended Responses of Salt River Project
to
First Set of Data Requests
from
City of Mesa
Submitted July 26, 2009**

- d. Germann Alignment (Meridian Road sub-alternative) – This alignment is 11 miles and the cost is approximately \$24,969,960.
- e. North-Railroad Alignment – This alignment is 8.44 miles and the cost is approximately \$18,735,630.

With respect to the stretch of road on Germann from Hawes Road to Crismon Road, 4 to 5 additional poles will be needed due to the lower pole height requirements as a result of the airport, road crossing and the need to design around existing residential properties.

1-2. For each of the five alignments described in DR1-1, please list the number of property owners from which easements or other property rights will have to be obtained to construct the alignment.

RESPONSE

- a. Ryan Alignment (Preferred) – The minimum is 22 and the maximum would be 117. This includes residential and commercial property.
- b. Ryan Alignment (Meridian Road sub-alternative) – The minimum is 31 and the maximum would be 85. This includes residential and commercial property.
- c. Germann Alignment – The minimum is 45 and the maximum would be 82. This includes residential and commercial property.
- d. Germann Alignment (Meridian Road sub-alternative) – The minimum is 38 and the maximum is 114. This includes residential and commercial property.
- e. North-Railroad Alignment – The maximum is 117 which includes only commercial property.

**Amended Responses of Salt River Project
to
First Set of Data Requests
from
City of Mesa
Submitted July 26, 2009**

1-3. *Please rank each of the five alignments described in DR1-1 in order (from least interference to most interference) concerning how much construction of the transmission line will interfere with existing residences, business and traffic flows. In formulating your response, please consider both the magnitude and duration of the associated construction activity.*

RESPONSE

We have ranked the alignments based on what we believe would be the difficulties both during construction and maintenance of the line.

- 1 - Ryan Alignment
- 2 - Ryan Alignment (Meridian Road sub-alternative)
- 3 - North Railroad Alignment
- 4 - Germann Alignment (Signal Butte)
- 5 - Germann Alignment

1-4. *If it were to utilize the North-Railroad Alignment, would SRP build within the existing Union Pacific Railroad ("UPRR") right of way? If so, what is the status of discussion with the UPRR concerning the use of the right of way?*

RESPONSE

If this alignment is approved, at this time, SRP would not be within the UPRR's right of way due to conflicts between the rail road and our maintenance practices and the cost of acquiring railroad right-of-way.

1-5. *Please update the status of the Federal Aviation Administration's response to the form 7460-1 submittal for the Germann Alignment(s).*

RESPONSE

There is no change in the status. The current determination indicates that all of the poles submitted along Germann Road are considered to be a potential hazard by the FAA. SRP's aviation consultant believes this determination is incorrect and is continuing to work with the FAA to address this determination.



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Exhibit ME-2, Page 1 of 4
Aeronautical Study No.
2009-AWP-2460-OE

Issued Date: 06/16/2009

Thomas Novy
Salt River Project
P.O. Box 52025
Phoenix, AZ 85072

**** NOTICE OF PRESUMED HAZARD ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Transmission Line Germann - 1
Location:	Queen Creek, AZ
Latitude:	33-16-39.20N NAD 83
Longitude:	111-39-09.07W
Heights:	104 feet above ground level (AGL) 1485 feet above mean sea level (AMSL)

Initial findings of this study indicate that the structure as described exceeds obstruction standards and/or would have an adverse physical or electromagnetic interference effect upon navigable airspace or air navigation facilities. Pending resolution of the issues described below, the structure is presumed to be a hazard to air navigation.

If the structure were reduced in height so as not to exceed 41 feet above ground level (1422 feet above mean sea level), it would not exceed obstruction standards and a favorable determination could subsequently be issued.

To receive a favorable determination at the originally submitted height, further study would be necessary. Further study entails distribution to the public for comment, and may extend the study period up to 120 days. The outcome cannot be predicted prior to public circularization.

If you would like the FAA to conduct further study, you must make the request within 60 days from the date of issuance of this letter.

See Attachment for Additional information.

NOTE: PENDING RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE, THE STRUCTURE IS PRESUMED TO BE A HAZARD TO AIR NAVIGATION. THIS LETTER DOES NOT AUTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT. ANY RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE MUST BE COMMUNICATED TO THE FAA SO THAT A FAVORABLE DETERMINATION CAN SUBSEQUENTLY BE ISSUED.

IF MORE THAN 60 DAYS FROM THE DATE OF THIS LETTER HAS ELAPSED WITHOUT ATTEMPTED RESOLUTION, IT WILL BE NECESSARY FOR YOU TO REACTIVATE THE STUDY BY FILING A NEW FAA FORM 7460-1, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION.

If we can be of further assistance, please contact our office at (907) 271-5863. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2460-OE.

Signature Control No: 634705-109734381
Robert van Haastert
Specialist

(NPH)

Attachment(s)
Additional Information

Abbreviations

AGL - above ground level CAT - aircraft category NEH - No Effect Height
DA - Decision Altitude HAT - height above touchdown VFR - visual flight rules
IFR - instrument flight rules MDA - Minimum Descent Altitude MSL - mean sea level
Part 77 -Title 14 Code of Federal Regulations (CFR) Part 77, Objects Affecting Navigable Airspace

Our study has disclosed that the proposed power line project is within the IFR surfaces at Phoenix-Mesa Gateway (IWA) Airport, AZ. Nineteen (19) of the proposed structures adversely impact instrument approaches as submitted.

Of the 19 objectionable structures, the sponsor can mitigate the adverse IFR impacts for 13 proposed structure locations by providing a site survey for each location which has a 2C accuracy code. These 13 locations are 2009-AWP-2472 thru 2484-OE.

Six (6) structures 2009-AWP-2460 thru 2465-OE penetrate the RNAV (GPS) RWY 30C Missed Approach surface and raises the LNAV/VNAV DA from 1680 MSL to the values listed:

ASN AGL/MSL. NEH IFR Effect

2460 104 /1485 1422 Missed approach penetration raises DA from 1680 to 1750;
2461 104 /1486 1422 Missed approach penetration raises DA from 1680 to 1758;
2462 104 /1490 1422 Missed approach penetration raises DA from 1680 to 1763;
2463 108/1498 1422 Missed approach penetration raises DA from 1680 to 1772;
2464 107 /1498 1422 Missed approach penetration raises DA from 1680 to 1772; and
2465 106 /1499 1488 Missed approach penetration raises DA and Circling CAT-A-B-C from 1680 to 1774.

Additionally 2009-AWP-2465-OE raises ILS or LOC RWY 30C ORIYE Fix minimums, RNAV (GPS) RWY 12C, RNAV (GPS) RWY 12R, RNAV (GPS) RWY 30L, and the VOR or TACAN RWY 30C DME minimums along with the raising the Circling CAT A-B-C minimums to 1860. These specific IFR effects can be mitigated by a site survey with a 2C accuracy code.

The DA/MDA is the minimum altitudes to which an aircraft may descend while on the instrument approach to the airport during periods when reduced visibility and/or low cloud ceiling conditions exist. If the pilot cannot achieve visual reference to the ground upon reaching the DA/MDA, the approach must be abandoned. This results in the aircraft having to proceed to an alternate airport or waiting in a holding pattern for improved weather conditions.

Any increase in the DA/MDA would have a significant adverse effect on the benefits derived from the instrument procedures.

For your information, a 2C survey is conducted by a registered surveyor, who will certify, on company letterhead, that a survey methodology was used that assures an accuracy standard of at least plus or minus 50 feet horizontal accuracy for the latitude/longitude coordinates and plus or minus 20 feet vertical accuracy for the ground elevation. The report should bear the surveyor's signature and include the embossed seal issued by the state.

However, if you agree to limit the 2009-AWP-2460 thru 2465-OE structure heights to the NEHS listed and provide a site survey for the entire project with a surveyor's certification that the submitted site locations are within 2C tolerances, the FAA will withdraw this objection to this proposed power line structures.

You also have the option at this point to either terminate the proposal or request further FAA study. Further study will involve a public notice circularization and 37 day comment period.

Please email me at Robert.van.Haastert@faa.gov, with your intentions for these aeronautical studies.

From: <TubacLawyer@aol.com>
To: <MMaser@jsslw.com>
Date: 8/4/2009 11:46 AM
Subject: Re: Pinal County's Exhibit PC-1

CC: <John.Foreman@azag.gov>, <b.slavin@fjslegal.com>, <Tara.Williams@azag.go...

Michele,

Thanks. Your flexibility and assistance is most appreciated.

Best regards,

Larry

In a message dated 8/3/2009 3:46:09 PM US Mountain Standard Time, MMaser@jsslw.com writes:

Hi Larry,
We will include the exhibit with the hearing exhibit notebooks. Thank you for sending this to us.
Michele

From: TubacLawyer@aol.com [mailto:TubacLawyer@aol.com]
Sent: Monday, August 03, 2009 3:40 PM
To: Sundlof Jr., Kenneth C.
Cc: John.Foreman@azag.gov; b.slavin@fjslegal.com; Tara.Williams@azag.gov; craig.marks@azbar.org; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; Maser, Michele R.; gary.birnbaum@mwmf.com; jim.braselton@mwmf.com; wfix@phxmesagaeway.org; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com
Subject: Pinal County's Exhibit PC-1

Dear Ken,

Set forth below is the link for a document that Pinal County would like to have included in the Exhibit Notebooks that you are preparing. The document is entitled "Regionally Significant Routes for Safety and Mobility," Final Report, December 2008. This is the document that was referred to in Footnote 1 of the Position Chart completed by Pinal County and transmitted to Chairman Foreman on July 31, 2009; and, Pinal County intends to offer it as its Exhibit PC-1. As of this juncture, I do not anticipate Pinal County offering any other exhibits.

Please advise me in the event that Salt River Project is unable to include this document within the Exhibit Notebooks which are currently being prepared.

Larry

[_http://pinalcountyaz.gov/Departments/PublicWorks/Documents/Form/RSRSM%20FINAL%20REPORT.pdf_](http://pinalcountyaz.gov/Departments/PublicWorks/Documents/Form/RSRSM%20FINAL%20REPORT.pdf)
(<http://pinalcountyaz.gov/Departments/PublicWorks/Documents/Form/RSRSM%20FINAL%20REPORT.pdf>)

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From: "Rebecca Porter" <rporter@davismiles.com>
To: "William Sullivan" <wsullivan@cgsuslaw.com>, "John Foreman" <John.Forema...>
Date: 8/4/2009 12:07 PM
Subject: #148 POSITION CHART- Vlachos
Attachments: Position Chart Vlachos.doc.doc

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Susan Ellis" <Susan.Ellis@azag...>
Mr. Chairman,

Attached is the completed chart by Vlachos.

Thank you,

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THANK YOU FOR YOUR COOPERATION

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Line Siting Committee #148 Abel-Moody 230kV Transmission Line

Alignment:													
Party	Need	Preferred North (Ryan)	Ryan (Meridian)	Germann Rd	Germann Meridian	North RR	Ocotillo	Ocotillo Higley	Ocotillo Power	RS-24 SubSt (Either N, M or S)	Preferred South (RR)	Combs	Skyline
SRP													
Pinal County Gilbert													
Mesa													
Phx-Mesa Gateway													
Queen Creek													
Vlachos	NP	A ¹	A ²	O	O	S	A	A	A	NP	NP	NP	NP

¹ Vlachos accepts construction on the South side of Ryan only. The North side of Ryan is opposed.
² Vlachos accepts construction on the South side of Ryan only. The North side of Ryan is opposed.

S = Support
A = Accept
O = Oppose
NP = No Position

N = North
M = Middle
S = South

From: "Craig Marks" <craig.marks@azbar.org>
To: <John.Foreman@azag.gov>
Date: 8/4/2009 12:51 PM
Subject: Mesa's Testimony Summaries
Attachments: Craig A Marks2.vcf; 090804 Testimony Summaries (Final).pdf

CC: <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <ejohnson@azcc.gov>, ...
Chairman Foreman,

I am attaching copies of the testimony summaries for the three witnesses that the City of Mesa will call at the hearing. We will be filing these at the Commission later today.

For each party that expects to call one or more witnesses that has not yet circulated testimony summaries -- Please do not read Mesa's summaries until you have completed and circulated your summaries. These summaries are being provided to the parties in accordance with the Procedural Order, in case Mesa's witnesses testify on Friday. In preparing its witnesses and these summaries, Mesa has not had the benefit of seeing any summaries or exhibits other than SRP's. It would be fundamentally unfair for any party to now review Mesa's summaries and use them for the purpose of preparing testimony. I will strongly object to any testimony that appears to be in rebuttal to Mesa's testimony. All we are asking for is a level playing field for all the parties.

Thank you.

Craig Marks

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Walter L. Fix

Walter L. Fix is employed by the Phoenix-Mesa Gateway Airport Authority as its Director of Planning and Special Projects. He administers and participates in Gateway Airport's Master Planning, including airspace issues, zoning and general plan amendments, and transportation projects.

Mr. Fix first will describe Phoenix-Mesa Gateway Airport ("Gateway Airport"), its plans for the future, and its importance to the East Valley. Second, he will discuss how new structures, such as transmission lines, affect future planning at Gateway Airport.

Gateway Airport has three 9,000 to 10,000 foot parallel runways that run in a northwest to southeast orientation. Takeoffs to the south and landings from the south go directly over Germann Road. Aircraft operations have averaged over 225,000 per year since 2003. Gateway Airport is owned and operated by the Phoenix-Mesa Gateway Airport Authority that includes the City of Mesa, City of Phoenix, Town of Gilbert, Town of Queen Creek, and the Gila River Indian Community.

Gateway Airport is positioned to be a dynamic reliever airport to Phoenix's Sky Harbor International Airport. Gateway Airport is also developing as an international aerospace center with aircraft maintenance, modification, testing and pilot training. Currently, more than 35 aviation companies operate at the airport, generating over \$500 million in annual economic activity. Allegiant Air provides scheduled service to 17 cities using MD-83, 150-seat aircraft. This provides a much-needed alternative for passengers who might otherwise utilize busy Phoenix Sky Harbor International Airport.

Gateway Airport expects to grow along with the East Valley. The southwest portion of the airport has over 230 acres of undeveloped property. This area is planned to support both aviation related businesses (those needing taxiway access) and non-aviation businesses (those not needing taxiway access). A new taxiway is planned to open up this area for aviation related business development. This area provides unique development opportunities, as the availability of large parcels at major metropolitan airports is rare.

Passenger boardings are forecast to reach 2.2 million within 20 years and potentially 5 million beyond that. To accommodate this growth, development of the east side of the airport with a replacement passenger terminal is recommended. Those areas on the east side that are not reserved for direct aviation related activities are planned for commercial development. The types of development should be keyed to the aviation nature of the facility, such as hotels, a convention center, restaurants, and shops.

Gateway Airport is one of the most important growth engines for the East Valley. As detailed in the Master Plan, in 2007/2008 the total economic benefit (including all multiplier effects) of the Gateway Airport was \$534.6 million, supporting 4,075 jobs in the service area.

As Gateway Airport grows, its total economic benefit will grow along with it. Based on the forecasts of aviation demand from the Master Plan, we forecast that in 2027, airport revenues may reach \$3.0 billion, with more than \$1.1 billion in earnings, and more than 26,500 jobs supported.

Gateway Airport is concerned about transmission line construction in the vicinity because, for purposes of aviation, a transmission line is effectively a long wall equal in height to its tower height. The Airport, the airlines, the Federal Aviation Administration, and other interested

parties must evaluate how the proposed "wall" will affect operations. For planning purposes Gateway Airport must evaluate not only current regulations, but also evolving standards that may affect future operations and our ability to attract and retain air-operations.

The FAA has taken measures to protect the airspace around airports, particularly along the path of extended runway centerlines during the landing and take-off phases of flight. The primary regulation, FAR Part 77, describes all of the Civil Airport Imaginary Surfaces, Obstacle Clearance Surfaces for aircraft instrument landing procedures, and also outlines the requirements for individuals to submit a Notice of Proposed Construction or Alteration (Form 7460-1). The FAA issues a case determination for each 7460-1 submittal that identifies any hazards to air navigation within the surfaces.

In addition to FAR Part 77, the proposed January 1, 2010 Change 10 to the FAA's Advisory Circular 150/5300-13, Airport Design, will establish an obstacle limitation surface using one of the same surfaces depicted by the International Civil Aviation Organization. This new surface will be called the obstacle identification surface or OIS. It pertains to departure runway ends supporting air carrier operations. It provides guidance for airport proponents to survey existing and future obstacles that are likely to impact air carrier one-engine inoperative takeoff planning. It is also intended to encourage airports and local zoning authorities to manage the proliferation of proposed obstructions encroaching on many runways. I anticipate that future FAA Airport Improvement Program grants will likely require airport planning and design to satisfy the provisions of the obstacle identification surfaces promulgated by ICAO.

Each commercial airline must develop OEI procedures for each airport / runway out of which it conducts flight operations. Commercial air carrier type aircraft must be loaded in such a manner that they are able to clear obstacles along their intended route of flight either by 35 feet vertically or 300 feet laterally – even with one engine out. The One-Engine Inoperative standard is important for more than safety reasons. Gateway Airport is trying to attract substantial new airline and air-cargo business over the next 20 years and beyond. These carriers have options and they will, all things being equal, want to locate where there are the fewest prospective restrictions on their operations. Therefore, Gateway Airport prefers not to have any structures in the area that could jeopardize its ability to compete for new business.

Overall, it is in the current and long-term best interests of Gateway Airport where (1) all poles are determined to be of "No Hazard to Air Navigation" by the FAA and (2) none of the poles penetrate any runway obstacle identification or one-engine inoperative surface. Further, we seek a continuing working relationship beyond the siting and alignment approval process in order to coordinate eventual construction safety notices and potential lighting identification of the poles.

Bryan G. Raines

Bryan G. Raines is employed by the City of Mesa as a Deputy City Manager. He oversees Financial Services, Business Services; Parks, Recreation and Commercial Facilities; Facilities Maintenance, and Fleet Services.

For many reasons, Mesa recommends the North-Railroad alignment. Mr. Raines will focus on the direct cost of the three alignments. Of these three, the North-Railroad alignment would be substantially less expensive than the other two. Because SRP's construction costs are ultimately passed through to its customers in their electric rates, Mesa prefers the lowest cost alignment.

Approximately 460,000 people live in Mesa, which makes Mesa the third-largest city in Arizona. All but about 40,000 of these residents are provided electricity by SRP. SRP is the electric service provider for all but 5.5 square miles within Mesa's 133 square miles.

Mesa's Water Resources Department provides water and wastewater service to Mesa's citizens. To provide these services, the Department must purchase enormous amounts of electricity from SRP to power well pumps, treatment plants, lift stations and other water and wastewater facilities. Mesa also purchases electricity from SRP to air-condition City-owned buildings, to operate traffic signals, to power street lights, and for a variety of other municipal uses.

For the last fiscal year ending June 30th, Mesa paid SRP over \$9 million for electric service. SRP recently announce that it anticipates raising electric rates by approximately 8.8%. An 8.8% increase would increase Mesa's direct annual electric bill by as much as \$700,000.

Mesa wants to postpone or minimize future rate increases that SRP may require. As a huge SRP customer, and on behalf of its citizens, the City of Mesa is concerned by the effects of any rate increase whether driven by increases in electric commodity costs or increased capital facility construction and maintenance expenses. Capital costs associated with infrastructure investment must be serviced and are a significant annual expense. Approximately one-third of SRP's net revenues are required just to finance infrastructure. In fiscal year 2008, SRP reported that its financing costs were over \$123 million.

SRP provided the following estimates for the three main alternatives and the two sub-alternates:

North-Railroad	\$18,735,630
Ryan Road to Signal Butte	\$21,586,260
Ryan Road to Meridian	\$22,940,360
Germann Road to Signal Butte	\$23,548,040
Germann Road to Meridian	\$24,969,960

The Project is primarily intended to benefit Queen Creek. SRP already reliably serves Mesa without the Project. Mesa already provides sites for SRP substations and transmission lines. These have served to support Mesa's population growth and Mesa could not exist today without the electricity deliveries they make possible.

Mesa and its citizens should not be expected to subsidize the Town of Queen Creek. The first subsidy would be financial. The Town of Queen Creek opposes the lowest cost alternative, the North-Railroad Alignment. Instead it supports the Germann Alignments, which would cost \$5 to \$6 million more. Yet, it does not propose to fund these increased costs, which benefit no one but

the Town. This means that Queen Creek expects all of SRP's customers, including the City of Mesa and its citizens, to bear the cost of Queen Creek's alternative.

Mesa already benefits from the many substations and transmission lines located within the City limits. Mesa could not exist today without these facilities, but Mesa's residents are the ones that live with nearby substations and transmission lines. Queen Creek essentially wants all the benefits of ample, reliable electricity service without any of the burdens. The Germann alignment would essentially take the transmission line outside the Queen Creek town limits and place the burdens on Mesa and Pinal County residents. This second subsidy would be fundamentally unfair.

Queen Creek will be the primary beneficiary of the new substation and transmission line. The Town should not be allowed to offload all the associated costs and other burdens on its neighbors.

Scot H. Rigby

Scot H. Rigby is employed by the City of Mesa in the Office of Economic Development as the Mesa Gateway Area Project Manager. He leads Mesa's efforts in coordinating the economic development of the 32 square-mile Mesa Gateway Area. This includes economic, airport, and infrastructure development as well as strategic planning coordination.

Development along Germann Road comprises a mixture of single family residential development, commercial development as well as substantial amounts of warehouse and industrial development. The Mesa General Plan and existing zoning within this corridor is focused on Business Park, Office, Commercial and both light and heavy industrial development.

Between Hawes and Ellsworth Roads, there are approximately 40 homes on the north side of Germann Road as well as 15-20 larger home sites on the south, or Queen Creek, side of Germann Road. Constructing a large transmission line in the Germann Alignment, would likely elicit strong opposition and concerns by residents about safety, property takings, and impacts on home values and the homeowner's ability to sell or refinance.

There are two existing commercial developments totaling more than 80 acres located at the NW Corner of Ellsworth and Germann running north to Pecos. These combine industrial/office flex space buildings with retail buildings directly fronting Germann Road. Additional retail development has been approved and is pending development.

Moving from west to east along Germann Road, there are three major industrial facilities. The first one is the Chas/Robert Heating & Air conditioning facility. Next, there is a TRW facility. Finally, there is a new CMC Steel plant. Together, these three facilities employ more than 1,000 employees, with plans for additional employees once CMC Steel completes construction.

TRW is also in the process of selling a portion of its facility to two bidders, each of which is a significantly sized aerospace-related industry that anticipates aerospace R&D and manufacturing on the site. At least one of these aerospace companies has identified the TRW facilities and its acreage as critical in its consideration because it anticipates landing, repairing and overhauling rotor craft (helicopters), with repaired aircraft departing from the facility. The location of power lines and poles fronting TRW may discourage this aviation company due to safety concerns associated with landing and departing rotorcraft in close proximity to a large transmission line.

There are a number of pending developments along the Germann corridor. The first one is the Williams Trade Zone. This 900-acre development spans from Hawes Road east to Crismon Road and is designed and zoned for companies/industries desiring close airport access and development sites. The ownership has been working with the City of Mesa and the airport on plans that may include "through the fence" access to airport flight lines, which allows aerospace or logistics based companies to drive, park and or repair aircraft off airport property. In addition, 600 of the 900 acres within the development constitutes the only, federally approved Foreign Trade Subzone in the East Valley adjacent to a major commercial airport. This provides significant tax and time advantages for companies importing and exporting value-added goods.

Another development is this 80-acre parcel east of Sossaman Road on Germann Road. This is anticipated to be a 2-3 acre lot industrial Business Park development, which will be marketed to small to medium sized businesses.

A third development is a 55-acre Motion Picture Studio/Soundstage Development, which is early in planning stages. This business has expressed concerns about a possible Germann Road alignment and how it may adversely impact the motion picture studio viability.

Overall, the Mesa Gateway area has been identified as one of the top opportunities for creating a large regional job center and economic engine in the Southeast Valley. The Maricopa Association of Governments has identified the Mesa Gateway area as one of the most important economic job centers in the Metro region and anticipates the creation of more than 100,000 jobs within its boundaries.

The City of Mesa, after the involvement of key external public and private stakeholders, recently approved the Mesa Gateway Strategic Development Plan. The Gateway Strategic Plan establishes a vision for the growth of this unique area and a framework for future economic sustainability.

Gateway Airport has a 3,020 acre footprint, or approximately five square miles. This is equivalent to some of the largest and most active airports operating in the United States. Because of its size and location, Phoenix-Mesa Gateway Airport is the key asset to future development of the Mesa Gateway area.

The first opportunity provided by the Airport is its establishment as the second major airport serving the greater Phoenix metropolitan area. Gateway Airport is the official commercial passenger reliever airport in the Phoenix-Mesa metropolitan area. Gateway Airport is intended to complement rather than compete with Sky Harbor International Airport, 28 miles to the west. Projected passenger volumes range from 2-5 million enplaned passengers by 2030. This will obviously generate a large number of supporting jobs.

Mesa is even more excited about the ancillary operating and development potential in and around the Airport. This development is why the Airport will become a critical economic and fiscal engine for Mesa, Queen Creek, and the surrounding area and region. The City of Mesa is committed to supporting this development by taking the steps necessary to ensure that the Gateway Airport thrives.

Within the Gateway Strategic Plan, one of the most important methods to ensure that the area is developed to match the Plan's goals is related to airport protection and surrounding development. We are establishing the "aviation envelope" that will support the regional interests of airport and airline users. This envelope is envisioned to include land outside of the airport property that will enable support industries that feed off the vibrancy of the airport. Examples include logistics centers that cater to air, ground, and rail transportation of goods. In particular, the area directly south of the airport, including the Germann Road corridor, is crucial to providing sizeable development-ready property for these businesses.

The City is also promoting compatible land uses. A wide range of commercial, recreational, and residential uses can occupy land in close proximity to the airport and its active airspace, so long as these uses and their associated structures do not restrict or hinder the increasing flight activity of the airport.

A transmission Line on Germann Road could interfere with the goals the City has for the Logistics and Commerce District, which is located south of the Airport. This area is focused solely on nonresidential development, including protecting the airport flight corridor and the flight corridor for Boeing helicopters that follows the Germann Road and Pecos Road

alignments. The Boeing facility manufactures and tests Apache Longbow helicopters for the United States Army and for many foreign militaries. Transmission lines pose a significant safety threat for helicopters since they typically travel at lower altitudes and in all weather and times of day or night. A set of transmission poles parallel to these approach and departure corridor, along with the draped lines between those poles, would create a continuous flight safety obstacle. In addition to Boeing's helicopter flight testing, Boeing also conducts fixed wing flight testing, including large body aircraft, using the established Phoenix-Mesa Gateway arrival and departure flight lines. Obviously, the City is gravely concerned about any unnecessary threats to one of Mesa's and the State's largest aviation employers.

There are other ways that a transmission line on Germann Road could interfere with planned development in the area. Another of the primary goals of the District, as defined by the Gateway Strategic Plan, is to "Maximize Potential of Phoenix-Mesa Gateway Airport" by ensuring that the center portion of this area directly under the primary landing approach zone remains free of hazards, thus enabling unrestricted ingress/egress to aircraft takeoffs and departures.

Development in this area must respect and preserve this flight corridor. This area, coupled with the long runways with unimpeded flightlines of the airport, is seen as an excellent location for airport-related uses, particularly those that will support cargo activities both on and off airport. Consequently, any structure, such as a major transmission line, that impedes the currently unimpeded approach and departure flightlines, would impede the expansion of airport activity and directly impact the long term viability of the Logistics and Commerce District.

Overall, Gateway Airport is an airport of choice and not of necessity. Consequently it must be able to demonstrate its tremendous assets of long runways, ample development room, both on and off airport, and its long approach and departure flight lines over Germann Road. These assets are of special value to both commercial and business jet service as they weigh choices in whether to use the airport as a base of operation. The communities of Mesa, Queen Creek, Gilbert, Gila River Indian Community, and Phoenix, as well as the state and federal government have invested and will continue to invest millions of dollars in runways, taxiways, terminals, roads, water, wastewater and structures for the single overarching and agreed upon goal of creating one of the largest job centers in the Valley, region and Southwest. We should do nothing to unnecessarily jeopardize these investments.