

ORIGINAL

# INTERVENTION



0000101247

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  
28

**DAVIS MILES, PLLC**  
**Gregory L. Miles (No. 005263)**  
**Shawn E. Nelson (No. 019228)**  
**P.O. BOX 15070**  
**MESA, AZ 85211**  
**Telephone: (480) 733-6800**  
**Fax: (480) 733-3748**

*Attorneys for Intervenors Vlachos Enterprises, LLC,  
V & P Nurseries, Inc., QC Niko 1, LLC and QC Niko W, LLC*

Arizona Corporation Commission

**DOCKETED**

AUG - 4 2009

DOCKETED BY

**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**

**MOTION FOR LEAVE TO INTERVENE**

RECEIVED  
2009 AUG - 4 P 3:48  
AZ CORP COMMISSION  
DOCKET CONTROL

Vlachos Enterprises, LLC, V & P Nurseries, Inc., QC Niko 1, LLC and QC Niko W, LLC  
(collectively herein as "Vlachos"), by their undersigned counsel, hereby moves for leave of the  
committee to intervene in this proceeding pursuant to A.R.S. § 40.360.05(A)(4) and A.A.C. R14-3-  
204.

The Committee should grant its leave to intervene because the party seeking intervention  
desires to protect the use of its property and that property will be directly and substantially affected

1 by various transmission line routes proposed by Salt River Project ("SRP") in its Application for a  
2 Certificate of Environmental Compatibility ("CEC") in the above-captioned matter. Vlachos owns  
3 240 acres of land in Maricopa County that is bounded by Germann Road on the north, Crismon  
4 Road on the west, Ryan Road to the south and the eastern boundary is located approximately ¼  
5 mile west of Signal Butte Road. Vlachos operates an agricultural business on the site, which  
6 employs over 180 people as well as serving a number of local retail and construction businesses.  
7 Several of the proposed alignments, including the Germann Road alignment and SRP's preferred  
8 alignment along Ryan Road, cross and border parcels of land owned by Vlachos and therefore  
9 materially affect Vlachos' commercial interests and the value of its land. Vlachos participation in  
10 these proceedings is not expected to broaden the issues, nor unduly delay the proceedings.  
11

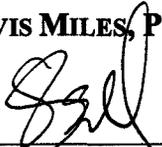
12  
13 Specifically, of all of the numerous proposed routes, Vlachos is adamantly opposed to the  
14 alignment that runs along Germann Road as it would place the line along the main arterial access to  
15 the Vlachos business. Vlachos supports the preferred alignment proposed by SRP which would run  
16 the line along the south side of Ryan Road. In addition to being the preferred route proposed by  
17 SRP, it is believed that this position is supported by some of the party municipalities and by the  
18 airport. Vlachos would also support an alternative proposed alignment, such as running the line  
19 along the Rittenhouse corridor that would take the line away from the Vlachos property and other  
20 business and residential interests.  
21

22 For the foregoing reasons, Vlachos respectfully requests that it be permitted to intervene in  
23 this proceeding in order to provide the Line Siting Committee with relevant information during  
24 hearings in this matter. Vlachos requests that all communications in connection with the above-  
25 captioned proceedings be directed to:  
26  
27  
28

1  
2 Gregory L. Miles  
3 Davis Miles, PLLC  
4 PO BOX 15070  
5 Mesa, AZ 85211

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
RESPECTFULLY SUBMITTED this 4<sup>th</sup> day of August, 2009.

**DAVIS MILES, PLLC**

By 

Gregory L. Miles  
Shawn E. Nelson  
P.O. Box 15070  
Mesa, AZ 85211

*Attorneys for Intervenors Vlachos Enterprises,  
LLC, V & P Nurseries, Inc., QC Niko 1, LLC  
and QC Niko W, LLC*

Pursuant to A.A.C. R14-3-204, the original  
and twenty-five (25) copies of the foregoing Notice  
will be hand-delivered for filing this 4<sup>th</sup> day of August, 2009 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

A copy of the foregoing Notice will  
be emailed this same date to:

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

Janice Alward, Chief Counsel  
Legal Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

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  
28

Kenneth C. Sundlof, Jr.  
Jennings, Strauss & Salmon, PLC  
201 E. Washington Street, 11<sup>th</sup> Floor  
Phoenix, AZ 85004-2385

Manny T. Gonzalez  
Assistant County Manager  
Pinal County  
Administrative Services  
P.O. Box 827  
31 N. Pinal Street, Bldg. A, 2<sup>nd</sup>  
Florence, Arizona 85232

Craig Marks  
Craig A. Marks, PLC  
10645 N. Tatum Blvd., Suite 200-676  
Phoenix, AZ 85028

Kyle Mieras  
90 E. Civic Center Dr.  
Gilbert, AZ 85296

Lawrence V. Robertson, Jr.  
P.O. Box 1448  
2247 E. Frontage Rd.  
Tubac, AZ 85646

Christopher Schmaltz  
Gust Rosenfeld, PLC  
201 E. Washington St., Ste. 800  
Phoenix, AZ 85004

Francis Slavin  
Francis J. Slavin, PC  
2198 E. Camelback Rd., Ste. 285  
Phoenix, AZ 85016

Scott Wakefield  
Ridenour, Hinton, Kelhoffer & Lewis, PLLC  
201 N. Central Ave., Ste. 3300  
Phoenix, AZ 85004

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  
28

Marta T. Hetzer  
Arizona Reporter Services, Inc.  
2200 N. Central Ave.  
Phoenix, AZ 85004

Gary Birnbaum  
Jim Braselton  
Mariscal, Weeks, McIntyre & Friedlander, PA  
2901 N. Central Ave., Ste. 200  
Phoenix, AZ 85012

