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

IN THE MATTER OF THE )  
APPLICATION OF ARIZONA PUBLIC )  
SERVICE COMPANY, IN )  
CONFORMANCE WITH THE )  
REQUIREMENTS OF ARIZONA )  
REVISED STATUTES 40-360.03 AND )  
40-360.06, FOR A CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING CONSTRUCTION OF )  
THE APS Q43 500kV TRANSMISSION )  
LINE AND SWITCHYARD )  
INTERCONNECTION PROJECT AND )  
ASSOCIATED FACILITIES )  
INTERCONNECTING TO THE PALO )  
VERDE - NORTH GILA #1 AND #2 )  
500kV TRANSMISSION LINES )  
APPROXIMATELY 10 MILES NORTH )  
OF DATELAND, ARIZONA (SECTION )  
34, T5S, R12W, G&SRBM, YUMA )  
COUNTY) )

Docket No. L-00000D-09-0280-00146  
L-00000D-09-0279-00145  
Case No. 146

**NOTICE OF FILING CERTIFICATE  
OF ENVIRONMENTAL  
COMPATIBILITY**

RECEIVED  
2009 JUL 27 P 12:40  
AZ CORP COMMISSION  
DOCKET CONTROL

Applicant, Arizona Public Service Company ("APS"), at the request of the  
Chairman of the Arizona Power Plant and Transmission Line Siting Committee  
("Committee"), files the attached form of Certificate of Environmental Compatibility  
("CEC"). The attached CEC contains the language adopted by the Committee during  
deliberations on July 22, 2009. In addition, the attached CEC contains conforming  
changes for the Chairman's consideration. In Condition 3, page 4 at line 6, the phrase  
"authorization to construct the" has been added for clarity. In Condition 13, page 6 at line  
16 and in Condition 14, page 6 at line 25, the word "Project" has been capitalized and the

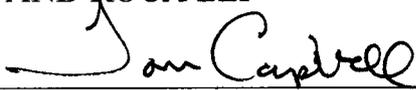
Arizona Corporation Commission  
**DOCKETED**  
JUL 27 2009

DOCKETED BY

1 word "identify" on page 7, at line 3 has been corrected to "identity" to correct  
2 typographical errors.

3  
4 RESPECTFULLY SUBMITTED this 27th day of July, 2009.

5 LEWIS AND ROCA LLP

6 

7 Thomas H. Campbell  
8 Albert Acken  
9 40 N. Central Avenue  
10 Phoenix, Arizona 85007  
11 Attorneys for Arizona Public Service Company

12 **ORIGINAL** and twenty-five (25) copies  
13 of the foregoing hand-delivered this  
14 27th day of July, 2009 to:

15 The Arizona Corporation Commission  
16 Utilities Division – Docket Control  
17 1200 W. Washington Street  
18 Phoenix, Arizona 85007

19 **COPIES** of the foregoing delivered electronically  
20 this 27th day of July, 2009 to:

21 Hon. John Foreman, Chairman  
22 Arizona Power Plant and Transmission  
23 Line Siting Committee  
24 Assistant Attorney General  
25 1275 West Washington Street  
26 Phoenix, Arizona 85007

27 Janice Alward, Legal Department  
28 Arizona Corporation Commission  
29 1200 West Washington Street  
30 Phoenix, Arizona 85007

1 Jay Moyes  
2 Moyes Sellers & Sims  
3 1850 N. Central Avenue, Suite 1100  
4 Phoenix, Arizona 85004

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*Betty J. Griffin*

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

3 IN THE MATTER OF THE )  
4 APPLICATION OF ARIZONA PUBLIC ) Docket No. L-00000D-09-0280-00146  
5 SERVICE COMPANY, IN )  
6 CONFORMANCE WITH THE ) Case No. 146  
7 REQUIREMENTS OF ARIZONA )  
8 REVISED STATUTES 40-360.03 AND )  
9 40-360.06, FOR A CERTIFICATE OF )  
10 ENVIRONMENTAL COMPATIBILITY )  
11 AUTHORIZING CONSTRUCTION OF )  
12 THE APS Q43 500kV TRANSMISSION )  
13 LINE AND SWITCHYARD )  
14 INTERCONNECTION PROJECT AND )  
15 ASSOCIATED FACILITIES )  
16 INTERCONNECTING TO THE PALO )  
17 VERDE - NORTH GILA #1 AND #2 )  
18 500kV TRANSMISSION LINES )  
19 APPROXIMATELY 10 MILES NORTH )  
20 OF DATELAND, ARIZONA (SECTION )  
21 34, T5S, R12W, G&SRBM, YUMA )  
22 COUNTY) )

17 **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

18 Pursuant to notice given as provided by law, the Arizona Power Plant and  
19 Transmission Line Siting Committee (the "Committee") held public hearings on July 21,  
20 and 22, 2009, in conformance with the requirements of Arizona Revised Statutes  
21 ("A.R.S.") §§ 40-360, *et seq.*, for the purpose of receiving evidence and deliberating on  
22 the Application of Arizona Public Service Company ("Applicant") in conjunction with  
23 San Diego Gas and Electric Company, as co-applicant, for a Certificate of Environmental  
24 Compatibility ("Certificate") in the above-captioned case (the "Project").  
25  
26

1 The following members and designees of members of the Committee were present  
2 at one or more of the hearings for the evidentiary presentations and/or for the  
3 deliberations:

4 Hon. John Foreman	Chairman, Designee for Arizona Attorney General, 5 Terry Goddard
6 David L. Eberhart, P.E.	Designee for Chairman, Arizona Corporation 7 Commission
8 Jessica Youle	Designee for Director, Energy Department, Arizona 9 Department of Commerce
10 Paul Rasmussen	Designee for Director, Arizona Department of 11 Environmental Quality
12 Gregg Houtz	Designee for Director, Arizona Department of Water 13 Resources
14 Jeff McGuire	Appointed Member
15 William Mundell	Appointed Member
16 Patricia Noland	Appointed Member
17 Michael Palmer	Appointed Member
18 Michael Whalen	Appointed Member
19 Barry Wong	Appointed Member

20 The Applicant was represented by Thomas H. Campbell of Lewis and Roca LLP.  
21 Agua Caliente Solar, L.L.C., an applicant in Line Siting Case No. 145, a consolidated  
22 matter, was represented by Jay Moyes of Moyes, Sellers & Sims.

23 At the conclusion of the hearing, the Committee, having received the Application,  
24 the appearance of the Applicant, the evidence, testimony and exhibits presented at the  
25 hearing, and being advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13,  
26

1 upon motion duly made and seconded, voted 11 to 0 to grant the Applicant this Certificate  
2 of Environmental Compatibility (Case No. 146) for the Project.

3 The Project as approved consists of a series of proposed 500kV transmission lines  
4 and a new regional switchyard that will initially connect the solar project proposed by  
5 Agua Caliente Solar L.L.C. (Case No. 145), to the existing Palo Verde-North Gila No. 1  
6 500kV transmission line (ACC Decision No. 52428). The Project will be designed to  
7 accommodate the future interconnection of the planned Palo Verde-North Gila No. 2  
8 500kV transmission line (ACC Decision No. 70127), a future 500kV/69kV substation, and  
9 other related transmission facilities.

10 The Project will be located on a portion of a 3,800 acre private agricultural property  
11 referred to as the "Whitewing Ranch" (Property) in the northwest corner of Section 34,  
12 T5S, R12W, G&SRBM, Yuma County, Arizona, plus some additional private land that  
13 extends south of the Property to a point 200 feet south of the Palo Verde to North Gila  
14 No. 1 centerline. The substation site is located just north of Palomas Road (also referred  
15 to as Palomas/Hyder Road) and will occupy approximately 30 acres of the Property. Each  
16 interconnection line will be within a separate 200 foot right-of-way. All interconnection  
17 lines will be in rights of way within a corridor. The corridor length extends southwest for  
18 5,875 feet from the point where the eastern boundary of the Property intersects the Union  
19 Pacific Railroad. The 2,200 foot width includes the 2,000 foot corridor approved in  
20 Decision No. 70127 for the Palo Verde to North Gila No. 2 transmission line, plus 200 feet  
21 south of the centerline of the Palo Verde to North Gila No. 1 transmission line. A general  
22 location map of the Project is set forth in **Exhibit A**.

### 23 CONDITIONS

24 This Certificate is granted upon the following conditions:

- 25 1. The Applicant shall obtain all required approvals and permits necessary to  
26 construct the Project.

- 1           2. The Applicant shall comply with all existing applicable statutes, ordinances,  
2           master plans and regulations of the State of Arizona, the County of Yuma, the  
3           United States, and any other governmental entities having jurisdiction.
- 4           3. This authorization to construct the facilities necessary to interconnect the  
5           proposed Agua Caliente solar project (Case #145) shall expire in 7 years. The  
6           authorization to construct the remainder of the facilities associated with this  
7           Project shall expire fifteen (15) years from the date the Certificate is approved  
8           by the Commission. However, prior to expiration, the Applicant or its assignees  
9           may request that the Commission extend this time limitation.
- 10          4. The Applicant shall make every reasonable effort to identify and correct, on a  
11          case-specific basis, all complaints of interference with radio signals from  
12          operation of the transmission lines and related facilities addressed in this  
13          Certificate. The Applicant shall maintain written records for a period of five  
14          years of all complaints of radio interference attributable to operation, together  
15          with the corrective action taken in response to each complaint. All complaints  
16          shall be recorded to include notations on the corrective action taken.  
17          Complaints not leading to a specific action or for which there was no resolution  
18          shall be noted and explained.
- 19          5. To the extent applicable, the Applicant shall comply with the notice and salvage  
20          requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901, et seq.) and  
21          shall, to the extent feasible, minimize the destruction of native plants during  
22          Project construction.
- 23          6. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical  
24          site or object that is at least fifty years old is discovered on state, county or  
25          municipal land during plan-related activities, the person in charge shall  
26          promptly report the discovery to the Director of the Arizona State Museum, and

1 in consultation with the Director, shall immediately take all reasonable steps to  
2 secure and maintain the preservation of the discovery. If human remains and/or  
3 funerary objects are encountered during the course of any ground-disturbing  
4 activities relating to the development of the subject property, Applicant shall  
5 cease work on the affected area of the Project and notify the Director of the  
6 Arizona State Museum, pursuant to A.R.S. § 41-865, and any appropriate  
7 federal agency.

- 8 7. The Applicant shall design the transmission lines to incorporate reasonable  
9 measures to mitigate impacts to raptors.
- 10 8. The Applicant shall use non-specular conductor and dulled surfaces for  
11 transmission line structures.
- 12 9. In the event that the Project requires an extension of the term of this Certificate,  
13 Applicant shall use reasonable means to notify all landowners and residents  
14 within one mile of the Project corridor, all persons who made public comment at  
15 this proceeding, and all parties to this proceeding of the request and the time and  
16 place of the hearing in which the Commission will consider the request for  
17 extension.
- 18 10. Before construction on this Project may commence, the Applicant must file a  
19 construction mitigation and restoration plan ("Plan") with ACC Docket Control.  
20 Where practicable, the Plan shall specify that the Applicant use existing roads  
21 for construction and access, minimize impacts to wildlife, minimize vegetation  
22 disturbance outside of the Project right-of-way, and revegetate, unless waived  
23 by the landowner, native areas following construction disturbance.
- 24 11. The Applicant shall provide copies of this Certificate to the Yuma County  
25 Department of Development Services, the State Historic Preservation Office,  
26

1 the Arizona State Land Department and the Arizona Game and Fish  
2 Department.

3 12. Applicant will follow the latest Western Electricity Coordinating Council/ North  
4 American Electric Reliability Corporation Planning standards as approved by  
5 the Federal Energy Regulatory Commission, and National Electrical Safety  
6 Code construction standards.

7 13. Within 120 days of the Commission decision granting this Certificate, Applicant  
8 will post signs in public rights-of-way giving notice of the project corridor to  
9 the extent authorized by law. The Applicant shall place signs in prominent  
10 locations at reasonable intervals such that the public is notified along the full  
11 length of the transmission line until the transmission structures are constructed.  
12 To the extent practicable, within 45 days of securing easement or right-of-way  
13 for the Project, the Applicant shall erect and maintain a sign providing public  
14 notice that the property is the site of a future transmission line. Such signage  
15 shall be at least four feet by eight feet in size. The sign shall advise:

- 16 (a) That the site has been approved for the construction of Project  
17 facilities;
- 18 (b) The expected date of completion of the Project facilities;
- 19 (c) A phone number for public information regarding the Project;
- 20 (d) The name of the Project;
- 21 (e) The name of the Applicant; and
- 22 (f) The website of the Project.

23 14. With respect to the Project, Applicant shall participate in good faith in state and  
24 regional transmission study forums to coordinate transmission expansion plans  
25 related to the Project and to resolve transmission constraints in a timely manner.  
26

1 15. Prior to the date construction commences on this Project, the Applicant shall  
2 provide known homebuilders and developers within one mile of the center line  
3 of the certificated route the identity, location, and a pictorial depiction of the  
4 type of power line being constructed, accompanied by a written description, and  
5 encourage the developers and homebuilders to include this information in the  
6 developers' and homebuilders' homeowners' disclosure statements.

7 16. The Applicant shall submit a self-certification letter annually, identifying  
8 progress made with respect to each condition contained in the Certificate,  
9 including which conditions have been met. Each letter shall be submitted to  
10 ACC Docket Control on December 1 beginning in 2010. Attached to each  
11 certification letter shall be documentation explaining how compliance with each  
12 condition was achieved. Copies of each letter along with the corresponding  
13 documentation shall be submitted to the Arizona Attorney General and  
14 Department of Commerce Energy Office. The requirement for the self-  
15 certification shall expire on the date the Project is placed into operation.

16 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

- 17 1. The Project is in the public interest because it aids the state in meeting the need  
18 for an adequate, economical and reliable supply of electric power.
- 19 2. In balancing the need for the Project with its effect on the environment and  
20 ecology of the state, the conditions placed on the CEC by the Committee  
21 effectively minimize its impact on the environment and ecology of the state.
- 22 3. The conditions placed on the CEC by the Committee resolve matters concerning  
23 the need for the Project and its impact on the environment and ecology of the  
24 state raised during the course of proceedings, and as such, serve as the findings  
25 on the matters raised.
- 26

1 4. In light of these conditions, the balancing in the broad public interest results in  
2 favor of granting the CEC.

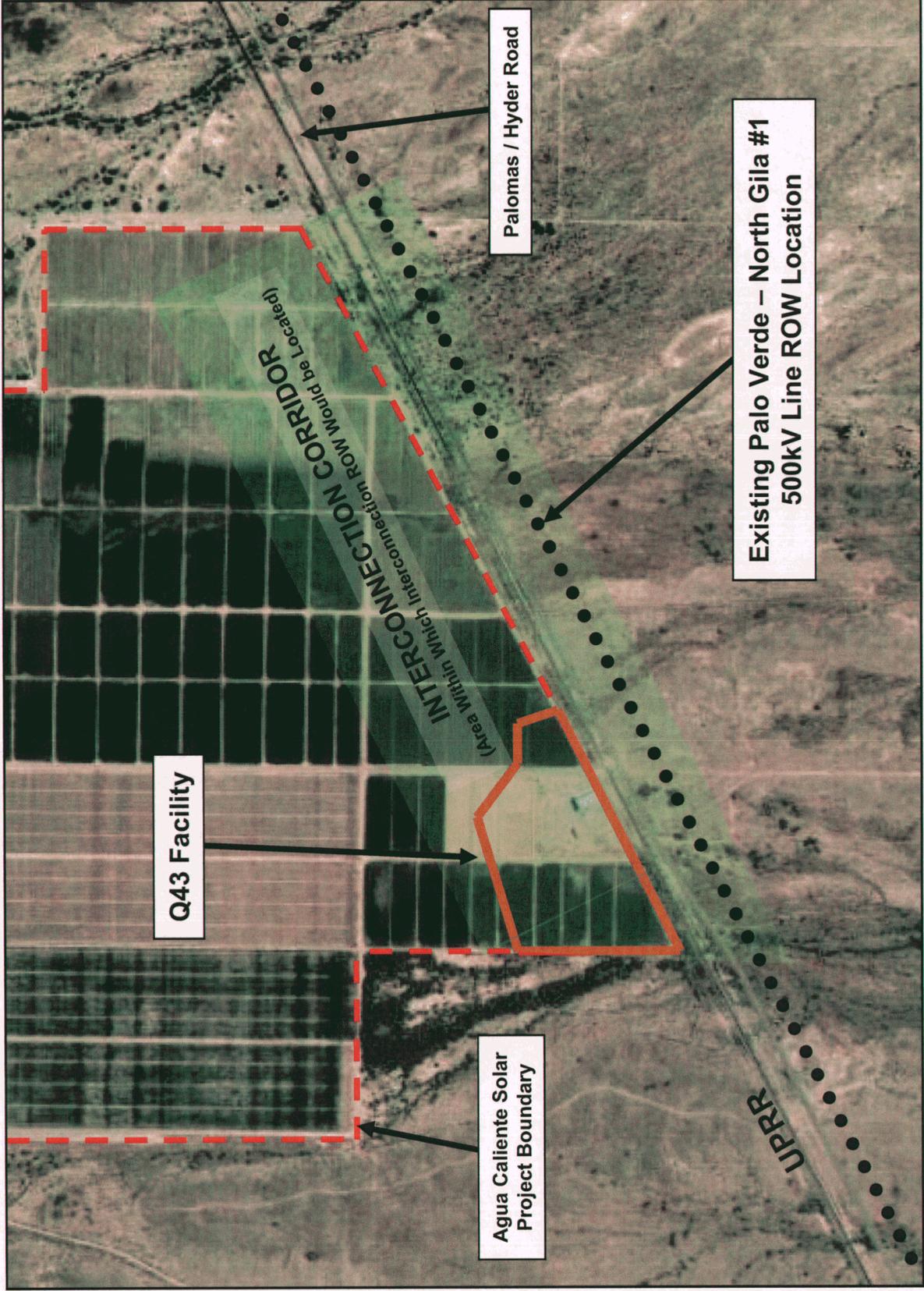
3 THE ARIZONA POWER PLANT AND  
4 TRANSMISSION LINE SITING COMMITTEE

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John Foreman, Chairman

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Interconnection Area of Detail