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AZ CORP COMMISSION
DOCKET CONTROL

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 10 Attorneys for the City of Peoria

BEFORE THE ARIZONA CORPORATION COMMISSION

8 KRISTIN K. MAYES, CHAIRMAN
 9 GARY PIERCE
 10 PAUL NEWMAN
 11 SANDRA D. KENNEDY
 12 BOB STUMP

DOCKETED

AUG -7 2009

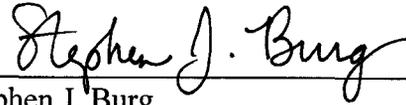
DOCKETED *M*

11 IN THE MATTER OF THE APPLICATION)
 12 OF ARIZONA PUBLIC SERVICE COMPANY,) DOCKET NO. L-00000D-08-0330-00138
 13 IN CONFORMANCE WITH THE)
 14 REQUIREMENTS OF ARIZONA REVISED) Case No. 138
 15 STATUTES §§ 40-360, *et seq.*, FOR A)
 16 CERTIFICATE OF ENVIRONMENTAL) A.C.C. Decision No. 70850
 17 COMPATIBILITY AUTHORIZING THE TS-5)
 18 TO TS-9 500/230 kV TRANSMISSION LINE) **JOINT NOTICE OF INTERVENORS**
 19 PROJECT, WHICH ORIGINATES AT THE) **CITY OF PEORIA, DIAMOND**
 20 FUTURE TS-5 SUBSTATION, LOCATED IN) **VENTURES, INC., VISTANCIA LLC,**
 21 THE WEST HALF OF SECTION 29,) **AND VISTANCIA HOMEOWNERS**
 22 TOWNSHIP 4 NORTH, RANGE 4 WEST AND) **ASSOCIATIONS SUBMITTING**
 23 TERMINATES AT THE FUTURE TS-9) **REPLY LETTERS FROM U.S.**
 24 SUBSTATION, LOCATED IN SECTION 33,) **BUREAU OF LAND MANAGEMENT**
 25 TOWNSHIP 6 NORTH, RANGE 1 EAST, IN) **REGARDING ARIZONA PUBLIC**
 26 MARICOPA COUNTY, ARIZONA) **SERVICE COMPANY'S RIGHT-OF**
) **WAY APPLICATION**

22 The City of Peoria, Diamond Ventures, Inc., Vistancia LLC, and Vistancia Homeowners
 23 Associations hereby file five reply letters that were received from the U.S. Bureau of Land
 24 Management ("BLM") in BLM Case # AZA-35079. The BLM letters respond to previous letters
 25 submitted to BLM by the above-named entities indicating our support of Arizona Public Service
 26

1 Company's right-of-application and our intent to participate in the BLM case.¹ The other parties
2 have authorized the undersigned counsel for the City of Peoria to file these BLM letters in this
3 Docket on their behalf.

4 RESPECTFULLY SUBMITTED this 2th day of August, 2009.

5
6 

7 Stephen J. Burg
8 Chief Assistant City Attorney
9 Office of the City Attorney
10 City of Peoria
11 8401 West Monroe Street, Room 280
12 Peoria, Arizona 85345
13 steve.burg@peoriaaz.gov

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26 ¹ The entities filed their letters to BLM in this Docket on July 9, 2009.

1 ORIGINAL and 13 copies of the foregoing were
2 filed this 7th day of August, 2009, to:

3 Arizona Corporation Commission
4 Utilities Division - Docket Control
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

7 COPIES of the foregoing hand-delivered
8 this 7th day of August, 2009, to:

9 Honorable Dwight Nodes
10 Arizona Corporation Commission
11 1200 W. Washington Street
12 Phoenix, Arizona 85007

13 Kristin K. Mayes, Chairman
14 Arizona Corporation Commission
15 1200 W. Washington Street
16 Phoenix, Arizona 85007

17 Gary Pierce, Commissioner
18 Arizona Corporation Commission
19 1200 W. Washington Street
20 Phoenix, Arizona 85007

21 Paul Newman, Commissioner
22 Arizona Corporation Commission
23 1200 W. Washington Street
24 Phoenix, Arizona 85007

25 Sandra D. Kennedy, Commissioner
26 Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Bob Stump, Commissioner
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

...

1 COPIES of the foregoing served electronically via e-mail
this 27th day of August, 2009, to:

2
3 John Foreman, Chairman
4 Arizona Power Plant and Transmission Line Siting Committee
5 Assistant Attorney General
6 1275 West Washington Street
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36 Counsel for Quintero Community Association, Inc.

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24 Counsel for Intervenor Woodside Homes of Arizona, Inc.

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6 Counsel for Intervenor LP107, LLC

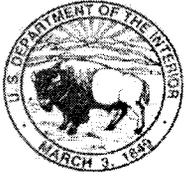
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18 E-mail: crich@roselawgroup.com
19 E-mail: rhurley@roselawgroup.com
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22 John Paladini, Esq.
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E-mail jmp@tblaw.com
Counsel for Intervenors Anderson Land and Development, Inc.



Notice of filing BLM fiveletters.08-06-09.ldo



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Phoenix District
Hassayampa Field Office
21605 North 7th Avenue
Phoenix, Arizona 85027
www.blm.gov/az/

JUL 14 2009

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JUL 15 2009

In Reply Refer To:
2800 (P010)
AZA-35079

OFFICE OF THE CITY ATTORNEY
PEORIA, ARIZONA

Mr. Stephen J. Burg
Chief Assistant City Attorney
Office of the City Attorney
City of Peoria
8401 West Monroe Street
Peoria, Arizona 85345

Dear Mr. Burg:

This is in response to your letter dated July 6, 2009, concerning an application (AZA-35079) filed by Arizona Public Service Company (APS) for the TS-5 to TS-9 500/230 kV Transmission Line.

As mentioned in your letter, APS filed an Application for Transportation and Utility Systems and Facilities on Public Lands (SF299) with this office on April 29, 2009. To date, the application has been "pre-adjudicated" by our lands staff and entered into our LR2000 data base.

The next step this office must take is to determine if the proposal is in conformance with our land use plan. Last August, the Bureau of Land Management (BLM) released the Bradshaw – Harquahala Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). The last step in finalizing the RMP is to issue a Record of Decision (ROD) for the approved RMP. We expect the ROD will be signed by the BLM Arizona State Director and issued in September of this year. If the BLM determines that the application is in conformance with the land use plan, the processing of that application would involve an open public process that we will invite all interested parties to participate in. If the BLM determines that the application is in non-conformance with the plan, the BLM may reject the application. The decision to reject is appealable to the Interior Board of Land Appeals. Following a decision to reject, APS could request that the BLM consider an amendment to the RMP. If the BLM decides to proceed with an amendment, the amendment would be prepared in conjunction with the preparation of an Environmental Assessment or an EIS. That process would be open to public participation as well.

We respect your willingness to meet on this issue; however, until the ROD is signed on our RMP, and we have made a conformance determination, I believe that a meeting at this time is premature. Once the determination is made, we would be happy to meet with you to discuss our decision.

If you have any questions, please feel free to contact me at 623-580-5500, or Jim Andersen at 623-580-5570.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Cohn", with a long horizontal flourish extending to the right.

Steven Cohn
Field Manager



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Phoenix District

Hassayampa Field Office

21605 North 7th Avenue

Phoenix, Arizona 85027

www.blm.gov/az/



JUL 14 2009

In Reply Refer To:

2800 (P010)

AZA-35079

Mr. Chad Kolodisner, Vice President
Diamond Ventures
2200 East River Road, Suite 115
Tucson, Arizona 85718-6586

Dear Mr. Kolodisner:

This is in response to your letter dated July 7, 2009, concerning an application (AZA-35079) filed by Arizona Public Service Company (APS) for the TS-5 to TS-9 500/230 kV Transmission Line.

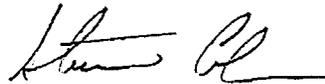
APS filed an Application for Transportation and Utility Systems and Facilities on Public Lands (SF299) with this office on April 29, 2009. To date, the application has been "pre-adjudicated" by our lands staff and entered into our LR2000 data base.

The next step this office must take is to determine if the proposal is in conformance with our land use plan. Last August, the Bureau of Land Management (BLM) released the Bradshaw – Harquahala Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). The last step in finalizing the RMP is to issue a Record of Decision (ROD) for the approved RMP. We expect the ROD will be signed by the BLM Arizona State Director and issued in September of this year. If the BLM determines that the application is in conformance with the land use plan, the processing of that application would involve an open public process that we will invite all interested parties to participate in. If the BLM determines that the application is in non-conformance with the plan, the BLM may reject the application. The decision to reject is appealable to the Interior Board of Land Appeals. Following a decision to reject, APS could request that the BLM consider an amendment to the RMP. If the BLM decides to proceed with an amendment, the amendment would be prepared in conjunction with the preparation of an Environmental Assessment or an EIS. That process would be open to public participation as well.

As we have explained to the City of Peoria in a letter of this same date, we respect your willingness to meet on this issue; however, until the ROD is signed on our RMP, and we have made a conformance determination, I believe that a meeting at this time is premature. Once the determination is made, we would be happy to meet with you and the City to discuss our decision.

If you have any questions, please feel free to contact me at 623-580-5500, or Jim Andersen at 623-580-5570.

Sincerely,

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Steven Cohn
Field Manager



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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Phoenix, Arizona 85027

www.blm.gov/az/

JUL 14 2009

In Reply Refer To:

2800 (P010)

AZA-35079

Mr. Jeff Dixon

Trilogy at Vistancia Community Association

c/o: AAM, L.L.C.

7740 North 16th Street, Suite 300

Phoenix, Arizona 85020

Dear Mr. Dixon:

This is in response to your letter dated July 7, 2009, concerning an application (AZA-35079) filed by Arizona Public Service Company (APS) for the TS-5 to TS-9 500/230 kV Transmission Line.

APS filed an Application for Transportation and Utility Systems and Facilities on Public Lands (SF299) with this office on April 29, 2009. To date, the application has been "pre-adjudicated" by our lands staff and entered into our LR2000 data base.

The next step this office must take is to determine if the proposal is in conformance with our land use plan. Last August, the Bureau of Land Management (BLM) released the Bradshaw – Harquahala Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). The last step in finalizing the RMP is to issue a Record of Decision (ROD) for the approved RMP. We expect the ROD will be signed by the BLM Arizona State Director and issued in September of this year. If the BLM determines that the application is in conformance with the land use plan, the processing of that application would involve an open public process that we will invite all interested parties to participate in. If the BLM determines that the application is in non-conformance with the plan, the BLM may reject the application. The decision to reject is appealable to the Interior Board of Land Appeals. Following a decision to reject, APS could request that the BLM consider an amendment to the RMP. If the BLM decides to proceed with an amendment, the amendment would be prepared in conjunction with the preparation of an Environmental Assessment or an EIS. That process would be open to public participation as well.

If you have any questions, please feel free to contact me at 623-580-5500, or Jim Andersen at 623-580-5570.

Sincerely,

Steven Cohn
Field Manager



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Phoenix District
Hassayampa Field Office
21605 North 7th Avenue
Phoenix, Arizona 85027
www.blm.gov/az/

JUL 14 2009

In Reply Refer To:
2800 (P010)
AZA-35079

Ms. Lisa Lundskow
Community Association Manager
Vistancia Village Association
29701 North Sunrise Point
Peoria, Arizona 85383

Dear Ms. Lundskow:

This is in response to your letter dated July 7, 2009, concerning an application (AZA-35079) filed by Arizona Public Service Company (APS) for the TS-5 to TS-9 500/230 kV Transmission Line.

APS filed an Application for Transportation and Utility Systems and Facilities on Public Lands (SF299) with this office on April 29, 2009. To date, the application has been "pre-adjudicated" by our lands staff and entered into our LR2000 data base.

The next step this office must take is to determine if the proposal is in conformance with our land use plan. Last August, the Bureau of Land Management (BLM) released the Bradshaw – Harquahala Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). The last step in finalizing the RMP is to issue a Record of Decision (ROD) for the approved RMP. We expect the ROD will be signed by the BLM Arizona State Director and issued in September of this year. If the BLM determines that the application is in conformance with the land use plan, the processing of that application would involve an open public process that we will invite all interested parties to participate in. If the BLM determines that the application is in non-conformance with the plan, the BLM may reject the application. The decision to reject is appealable to the Interior Board of Land Appeals. Following a decision to reject, APS could request that the BLM consider an amendment to the RMP. If the BLM decides to proceed with an amendment, the amendment would be prepared in conjunction with the preparation of an Environmental Assessment or an EIS. That process would be open to public participation as well.

If you have any questions, please feel free to contact me at 623-580-5500, or Jim Andersen at 623-580-5570.

Sincerely,

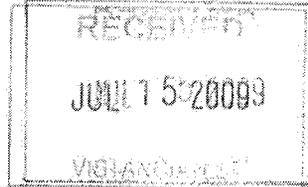
Steven Cohn
Field Manager



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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Phoenix, Arizona 85027
www.blm.gov/az/



JUL 14 2009

In Reply Refer To:
2800 (P010)
AZA-35079

Mr. Mark Hammons
Senior Vice President
Vistancia
8631 West Union Hills Drive, Suite 203
Peoria, Arizona 85382

Dear Mr. Hammons:

This is in response to your letter dated July 7, 2009, concerning an application (AZA-35079) filed by Arizona Public Service Company (APS) for the TS-5 to TS-9 500/230 kV Transmission Line.

APS filed an Application for Transportation and Utility Systems and Facilities on Public Lands (SF299) with this office on April 29, 2009. To date, the application has been "pre-adjudicated" by our lands staff and entered into our LR2000 data base.

The next step this office must take is to determine if the proposal is in conformance with our land use plan. Last August, the Bureau of Land Management (BLM) released the Bradshaw – Harquahala Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). The last step in finalizing the RMP is to issue a Record of Decision (ROD) for the approved RMP. We expect the ROD will be signed by the BLM Arizona State Director and issued in September of this year. If the BLM determines that the application is in conformance with the land use plan, the processing of that application would involve an open public process that we will invite all interested parties to participate in. If the BLM determines that the application is in non-conformance with the plan, the BLM may reject the application. The decision to reject is appealable to the Interior Board of Land Appeals. Following a decision to reject, APS could request that the BLM consider an amendment to the RMP. If the BLM decides to proceed with an amendment, the amendment would be prepared in conjunction with the preparation of an Environmental Assessment or an EIS. That process would be open to public participation as well.

If you have any questions, please feel free to contact me at 623-580-5500, or Jim Andersen at 623-580-5570.

Sincerely,

Steven Cohn
Field Manager