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BEFORE THE ARIZONA POWER PLANT 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 k V 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 EXISTNG MOODY SUBSTATION, LOCATED NEAR PECOS AND RECKER ROADS, IN THE TOWN OF GILBERT, MARICOPA COUNTY, ARIZONA, INCLUDING A NEW 230/69 kV SUBSTATION NEAR THE INTERSECTION OF COMBS AND MERIDIAN ROADS, IN OR ADJACENT TO THE TOWN OF QUEEN CREEK, ARIZONA

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

Case No. 148

Arizona Corporation Commission

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OCT 16 2009

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TOWN OF QUEEN CREEK'S OBJECTIONS AND PROPOSED MODIFICATIONS TO APPLICANT'S PROPOSED CERTIFICATE OF ENVIRONMENTAL COMPATABILITY

Pursuant to the request of the Arizona Power Plant and Transmission Line Siting Committee, Intervenor Town of Queen Creek ("Queen Creek") respectfully submits its objections and proposed modifications to Applicant's Proposed Certificate of Environmental Compatibility (July 24, 2009). The following modifications are requested.

I. Limitations on CEC Grant

Queen Creek requests that the CEC approval language (pg. 2, l 16) be made expressly "subject to the terms and conditions set forth below."

II. Approved Transmission Line

Queen Creek requests that the approved alignment (p. 2, ll. 22-26) be modified to provide:

1 "The alignment then parallels the UPRR and an existing
2 69kV line southeast to Germann Road. The alignment
3 then parallels the Germann Road alignment until it
4 intersects Meridian Road, then turns south on Meridian
5 Road and continues until it reaches the approved RS
6 24 substation site".

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12 III. Approved Substation Site (RS 24).

13 Queen Creek requests that the provisions relating to approved substation site (p. 2, l. 26-
14 p. 3, l. 1) be modified as follows:

15 "The RS 24 Substation shall be located at the
16 "northwest" site which is currently subject to a
17 purchase option in favor of Applicant. Construction is
18 subject to Applicant's compliance with the screening
19 and landscape requirements set forth below."

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26 IV. Transmission Structure Heights.

Queen Creek requests that the structure height provisions (p. 3, ll 2-4) be modified as
follows:

"The typical transmission structure heights will be in the
range of 75-120 feet, but will not exceed 120 feet, and will
occupy a right-of-way ("ROW") width not to exceed 100
feet."

V. Corridor Width and Location

Queen Creek requests that the corridor width provisions (p. 3, ll 4-6) be modified as
follows:

"The ROW may be located within a 250 foot corridor
east of the centerline of the UPRR and Magna RR to
Germann Road; within a 250 foot corridor west of the
centerline of Meridian Road; and within a 250 foot
corridor north and/or south of the centerline of
Germann Road as generally depicted on SRP Exhibits
75-83; provided, however, that the number, location
and precise height of transmission structures along
Germann Road may be reasonably determined by
Applicant, but in compliance with the FAA "no
hazard" determinations."

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2 VI. Duration of CEC

3 Queen Creek requests that the provisions relating to duration/expiration (p. 5, ¶7, ll 2-4)
4 be modified as follows:

5 “7. This authorization to construct the project shall
6 expire, with respect to the transmission line, five (5)
7 years from the date the Certificate is approved by
8 the Commission and, with respect to the Substation,
9 seven (7) years from the date the Certificate is
10 approved by the Commission, unless the
11 transmission line and Substation, respectively, are
12 capable of operation.”

13 VII. SUBSTATION SCREENING

14 Queen Creek requests the addition of the following provisions/conditions relating to
15 screening of the Substation (RS 24) improvements at the approved Substation Site.

16 “Unless modified by agreement of Applicant and Queen
17 Creek, the Substation (RS24) improvements shall be
18 screened by construction of a structural masonry wall on all
19 sides of the Substation improvements. The wall shall be of
20 a type, height, composition and appearance generally
21 consistent with Exhibit QC 22 (Screening Wall Illustration)
22 and Exhibit QC 23 (Substation Wall Photographs).”

23 VIII. SUBSTATION SITE LANDSCAPING

24 Queen Creek requests the addition of the following provisions/additional conditions
25 relating to landscaping of the approved Substation (RS24) site:

26 “Unless modified by agreement of Applicant and
Queen Creek, the substation site (i.e. the area around
and outside the screen wall) shall be landscaped (and
such landscaping shall be maintained) on all sides of
the Substation improvements. The landscaping shall
be generally consistent with that depicted on Exhibit
QC 22. Applicant shall be required to spend up to
but not more than \$500,000 in connection with the
acquisition and installation of such landscaping.”

IX. Mitigation/Linear Park

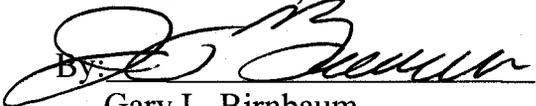
1 Queen Creek requests the addition of the following provisions/additional conditions
2 relating to mitigation of the impact of the transmission line within the Town of Queen Creek.”

3
4 “Applicant shall pay to Queen Creek, upon
5 commencement of construction of the approved
6 transmission line, Two Million Dollars (\$2,000,000)
7 to be used by Queen Creek to mitigate the impacts of
8 the transmission line. Specifically, if practicable, the
9 mitigation funds may be utilized to construct a “linear
10 park” under or proximate to the transmission line and
11 extending east to the planned Queen Creek regional
12 park.”

13 Queen Creek reserves the right to propose further modifications, deletions or additions
14 to the proposed CEC based upon evidence received and/or arguments made at the hearing
15 currently in progress or in response to proposals of the Applicant, the Committee or other
16 parties.

17 Respectfully submitted this 16th day of October, 2009.

18 **Mariscal, Weeks, McIntyre
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27 Pursuant to A.A.C. R14-3-204, the original
28 and twenty-five (25) copies of the foregoing
29 Notice are hand-delivered for filing this 16th day
30 of October, 2009 to:

31 Docket Control
32 Arizona Corporation Commission
33 1200 West Washington Street
34 Phoenix, Arizona 85007

1 A copy of the foregoing Notice are
being mailed this same date to:

2 John Foreman
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5 Transmission Line Siting Committee
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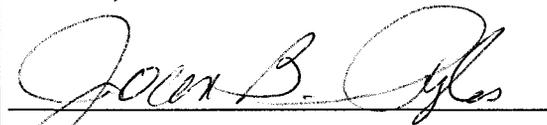
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