

ORIGINAL

ARIZONA SOLAR ONE LLC



0000106195

Solana Generating Facility

December 16, 2009

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

Arizona Corporation Commission
DOCKETED

Compliance Section
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

DEC 16 2009

DOCKETED BY *MM*

RE: CEC Docket No. L00000GG-08-0407-00139, Case No. 139, Decision No. 70638; L00000GG-08-0408-00140, Case No. 140, Decision No.70639

This letter is to inform you of the compliance actions taken for the Solana Generating Station Facility CEC (Decision No. 70638) Condition No. 20, as well as for the Solana Generating Station Transmission line CEC (Decision No.70639) Condition No. 17 which state:

"The Applicant, or its assignee(s), shall submit a self-certification letter annually, identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. . . copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. . ."

Abengoa Solar Inc. has completed the compliance activities, evidence of which may be found in the attached documentation.

Sincerely,

Kate Maracas

Kate Maracas, Vice President, Arizona Operations

RECEIVED
2009 DEC 16 A 11:41
AZ CORP COMMISSION
DOCKET CONTROL

ABENGOA SOLAR INC.

4505 E. Chandler Blvd., Suite 120
Phoenix, AZ 85048

480.705.0028 (T)

480.705.3327 (F)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X Mike Phillips</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Terry Goddard AZ Att. Gen 1275 W. Washington Phoenix, AZ 85007</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <i>Michael Roberts</i></p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 2820 0000 9279 0315</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X Fernando Perez</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Jim Arwood AZ Dept of Commerce Suite 600 1700 W Washington Phoenix, AZ 85007</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 2820 0000 9279 0308</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

ARIZONA SOLAR ONE LLC

Solana Generating Facility

November 30, 2009

Jim Arwood
Director, Energy Office
Arizona Department of Commerce
1700 W. Washington, Suite 600
Phoenix, Arizona 85007

Terry Goddard
Arizona Attorney General
1275 West Washington Street
Phoenix, AZ 85007

Re: Solana Generating Station Project Certificate of Environmental Compatibility, Self
Certification Letter

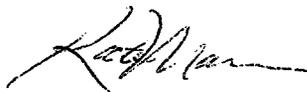
Dear Mr. Arwood and Mr. Goddard,

On December 11, 2008, the Arizona Corporation Commission (ACC) granted a Certificate of Environmental Compatibility (CEC) for the Solana Generating Station. The Solana Generating Station as approved is a 280 megawatt (MW) gross output (250 MW nominal output) concentrating solar power (CSP) electric generating plant located on approximately 3,000-acre site situated near Gila Bend, Arizona at the northwest corner of the intersection of Interstate 8 and Painted Rock Dam road.

As one of the provisions of the CEC, we would like to provide to you Arizona Solar One LLC's first Self Certification Letter on the status of the Solana Generating Station Project.

This summary report contains information and documentation on the status of Solana's efforts to comply with the CEC's granted by the ACC. Arizona Solar One LLC recognizes that some of the conditions of the CEC's are findings of fact, and the Applicant acknowledges them.

Sincerely,



Kate Maracas
Vice President, Arizona Operations

ABENGOA SOLAR INC.
4505 E. Chandler Blvd., Suite 120, Phoenix, AZ 85048
480.705.0028 (T) 480.705.3227 (F)

ARIZONA SOLAR ONE LLC

Solana Generating Facility

November 30, 2009

Chairman Kristin K. Mayes
Commissioner Gary Pierce
Commissioner Paul Newman
Commissioner Sandra D. Kennedy
Commissioner Bob Stump

Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Re: Self Certification Letter

Docket No. L-00000GG-08-0407-00139 Decision number 139;
Docket No. L-00000GG-08-0408-00140 Decision number 140

Dear Commissioners:

Enclosed please find Arizona Solar One LLC's first Self Certification Letter on the status of the Solana Generating Station Project.

This summary report contains information and documentation on the status of Solana's efforts to comply with the CECs approved on December 5, 2008 by the Corporation Commission. Arizona Solar One LLC recognizes that some of the conditions of the CEC are findings of fact, and the Applicant acknowledges them.

Sincerely,



Kate Maracas
Vice President, Arizona Operations

ABENGOA SOLAR INC.

4505 E. Chandler Blvd., Suite 120, Phoenix, AZ 85048
480.705.0028 (T) 480.705.3227 (F)

1
2
3
4
5
6
7
8
9
10

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

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE MATTER OF THE APPLICATION)
OF ARIZONA SOLAR ONE, LLC., IN) Docket No. L-00000GG-08-0407-00139
CONFORMANCE WITH THE)
REQUIREMENTS OF ARIZONA REVISED)
STATUTES §§ 40-360, *et seq.*, FOR A) Case No. 139
CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AUTHORIZING THE)
CONSTRUCTION OF THE SOLANA)
GENERATING STATION, LOCATED IN)
SECTION 9, TOWNSHIP 6 SOUTH, RANGE)
7 WEST, MARICOPA COUNTY, ARIZONA.)
_____)

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") held public hearings on September 22 and 23, 2008 and October 14, 2008, in conformance with the requirements of Arizona Revised Statutes ("A.R.S.") §§ 40-360, *et seq.*, for the purpose of receiving evidence and deliberating on the Application of Arizona Solar One, LLC. ("Applicant") for a Certificate of Environmental Compatibility ("Certificate") in the above-captioned case (the "Project").

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

John Foreman	Chairman, Designee for Arizona Attorney General Terry Goddard
Paul Rasmussen	Designee for Director, Arizona Department of Environmental Quality
Gregg Houtz	Designee for Director, Arizona Department of Water Resources
Jack Haenichen	Designee for Director, Energy Office, Arizona Department of Commerce, attended September 22 and 23, 2008

1	Jim Arwood	Director, Energy Office, Arizona Department of Commerce, attended October 14, 2008
2		
3	David Eberhart	Designee for Chairman, Arizona Corporation Commission
4	Michael Biesemeyer	Appointed Member, attended September 22 and 23, 2008
5	Jeff McGuire	Appointed Member
6	Patricia Noland	Appointed Member
7	Michael Palmer	Appointed Member
8	Michael Whalen	Appointed Member
9		
10	Barry Wong	Appointed Member

11 Applicant was represented by Thomas H. Campbell and Albert H. Acken of Lewis and
12 Roca LLP. Arizona Corporation Commission ("ACC" or "Commission") Staff, represented by
13 Charles H. Hains and Robin R. Mitchell, the Sierra Club-Grand Canyon Chapter, represented by
14 Timothy M. Hogan, and the Paloma Irrigation and Drainage District ("PIDD"), represented by Jay
15 Moyes and Jeffrey Zimmerman, were granted intervention pursuant to A.R.S. § 40-360.05.

16 At the conclusion of the hearings, the Committee, having received the Application, the
17 appearances of the parties, the evidence, testimony, and exhibits presented at the hearings, and
18 being advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13, upon motion duly
19 made and seconded, voted 10 to 0 to grant Applicant this Certificate of Environmental
20 Compatibility (Line Siting Case No. 139) for the Project.

21 The Project as approved consists of a 280 Megawatt ("MW") gross output (250 MW
22 nominal output) concentrating solar power ("CSP") electric generating plant located on an
23 approximately 3000-acre site west of the Town of Gila Bend, in Maricopa County, Arizona. A
24 general location map of the Project is set forth in **Exhibit A**.

25
26

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

(e) all applicable regulations and permits governing storage and handling of chemicals and petroleum products;

Status- The Applicant shall comply with all Arizona Department of Environmental Quality requirements for material handling.

(f) all other applicable federal and state regulations and standards.

Status- The Applicant shall comply with all federal and state regulations and standards.

3. This authorization to construct the Project will expire ten (10) years from the date the Certificate is approved by the Commission unless the Project is completed and capable of operation within the ten-year time frame. If the Project is not complete and capable of operation within the ten-year time frame, the Applicant or its assignee(s) may request that the Commission extend this time limitation.

4. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant, or its assignee(s), shall use commercially reasonable means to directly notify all landowners and residents within one mile of the Project site for which the extension is sought. Such landowners and residents shall be notified of the time and place of the proceeding in which the Commission shall consider such request for extension.

Status-The Applicant shall comply with the above notification requirements.

5. Applicant, or its assignee(s) and/or its customer, will work in good faith to develop and implement an educational program to teach students about the science of solar electric technology.

Status- The Applicant will collaborate with appropriate educational institutions to develop and implement an effective educational outreach program.

6. The Applicant, or its assignee(s), will provide to the Commission Staff copies of the Project's executed interconnection agreement with APS, and the technical operating

1 studies that will be performed prior to actual physical interconnection of the Project to
2 the APS transmission system.

3 **Status-** The Applicant is finalizing the interconnection agreement with APS, and as
4 soon as it is executed, will provide copies of the agreement to Staff.

- 5 7. Applicant, or its assignee(s), or its affiliate company, or its customer will become a
6 member of the Western Electricity Coordinating Council ("WECC") (or its successor),
7 and will file with the Commission Docket Control a copy of its executed WECC
8 Membership Agreement.

9 **Status-** The Applicant will become a member of WECC at a date when the
10 transmission line is near completion.

- 11 8. Applicant, or its assignee(s) and/or its affiliate company and/or its customer, will
12 participate in good faith in Commission-sponsored workshops and assessments of the
13 solar renewable infrastructure and market.

14 **Status-** The Applicant shall comply.

- 15 9. Applicant, or its assignee(s), may utilize groundwater for electrical generation and
16 related uses associated with construction and commercial operation of the Project.
17 Prior to the commencement of commercial operation, Applicant, or its assignee(s) will
18 file with Commission Docket Control a letter confirming that Applicant, or its
19 assignee(s) has secured both an adequate supply of water to produce 280 MW using
20 CSP parabolic trough technology with thermal storage, and a legal right to use the
21 water needed for the purpose of construction and commercial operation of the Project.

22 **Status-** The Applicant shall comply.

- 23 10. To the extent applicable, Applicant or its assignee(s), will comply with the notice and
24 salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901, *et seq.*) and
25 will, to the extent feasible, minimize the destruction of native plants during Project
26 construction.

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

Status- The Applicant shall comply.

11. During the construction and maintenance of the Project, to the extent applicable, the Applicant, or its assignee(s), will use existing roads for access, and to the extent applicable, taking into the account that the Project Site lies within a cultivated agricultural area, minimize impacts to wildlife and vegetation on the Project Site.

Status- The Applicant shall comply.

12. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical site or object that is at least fifty years old is discovered on state, county or municipal land during Project-related activities, the person in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the development of the subject property, Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum pursuant to A.R.S. § 41-865.

Status- The Applicant shall comply.

13. Within 120 days of the Commission decision granting this Certificate, Applicant, or its assignee(s), will erect and maintain at the site a sign of not less than 4 feet by 8 feet dimensions, advising:

- (a) That the site has been approved for the construction of a 280 MW generating facility;
- (b) The expected date of completion of the Project;
- (c) A phone number for public information regarding the Project;
- (d) The name of the Project;
- (e) The name of the Applicant, or its assignee(s); and

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

(f) The website of the Applicant, or its assignee(s).

Status-On April 6, 2009 Arizona Solar One LLC completed this action. The action was then filed with the offices of Compliance Control and Docket Control on April 10, 2009.

14. In connection with the construction of the Project, Applicant, or its assignee(s), shall use commercially reasonable efforts, where feasible, to give due consideration to use of qualified Arizona contractors.

Status- The Applicant is currently, and will continue to give such consideration to Arizona contractors in its ongoing vendor selection process.

15. The Applicant, or its assignee(s), shall provide copies of this Certificate to the Maricopa County Planning and Development Department, the Arizona State Land Department, the State Historic Preservation Office, and the Arizona Game and Fish Department.

Status- Arizona Solar One completed this action on November 13, 2009. This action was than filed with the offices of Compliance Control and Docket Control on November 19, 2009.

16. Within 120 days after the approval of this Certificate by the Commission, Applicant, or its assignee(s), will provide known homebuilders and developers within one mile of the Project (i) a copy of this Certificate, (ii) a map showing the location of the Project, (iii) a pictorial depiction of the type of power plant being constructed, and (iv) a written request that the developers and homebuilders include this information in the developers' and homebuilders' homeowners' disclosure statements.

Status-Arizona Solar one completed this action in conjunction with item thirteen (13), on April 6, 2009, providing the two know homebuliders and developers in the area

1 with the required attachments. This action was then filed with the offices of
2 Compliance control and Docket control on April 10, 2009.

3 17. The Applicant, or its assignee(s), shall file with Commission Docket Control,
4 confirmation of the completion of system upgrades required under the interconnection
5 agreement at least thirty days before commercial operation of the plant and associated
6 transmission lines.

7 **Status-** The Applicant shall comply.

8 18. The Applicant will comply with all applicable Western Electricity Coordinating
9 Council/North American Electric Reliability Corporation standards, without the
10 implementation of an automated Remedial Action Scheme to mitigate N-1
11 contingencies other than the loss of the Gen-Tie line.

12 **Status-** The Applicant shall comply.

13 19. The Applicant, or its assignee(s), shall file with Commission Docket Control the final
14 APS System Impact Study, to include the Short Circuit Study, within 10 days of
15 receipt by the Applicant or its assignee(s).

16 **Status-** This Action was completed by Arizona Solar One on July 2, 2009 and docket
17 with the offices of Compliance Control and Docket Control on July 2, 2009.

18 20. The Applicant, or its assignee(s), shall submit a self-certification letter annually,
19 identifying progress made with respect to each condition contained in the Certificate,
20 including which conditions have been met. Each letter shall be submitted to the
21 Commission Docket Control on December 1, beginning in 2009. Attached to each
22 certification letter shall be documentation explaining how compliance with each
23 condition was achieved. Copies of each letter along with the corresponding
24 documentation shall be submitted to the Arizona Attorney General and Department of
25 Commerce Energy Office. The requirement for the self-certification shall expire on
26 the date the Project is placed into operation.

1 **Status-** This Action was completed by the Applicant on 1 Dec 2009, and submitted to
2 Docket Control, the Arizona Attorney General and Department of Commerce Energy
3 Office.

4 21. The Applicant or its assignees shall submit by March 31, on an annual basis, a report
5 to the Commission Docket Control and the Arizona Department of Water Resources
6 that identifies the amount of water used for this Project in the previous calendar year.

7 **Status-**This action was completed by Arizona Solar One on March 25, 2009 and filed
8 with the offices of Compliance Control and Docket Control on March 27, 2009.

9
10 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

11 This Certificate incorporates the following findings of fact and conclusions of law:

- 12 1. The Solana generating facility will use CSP technology.
- 13 2. CSP technology uses solar thermal energy as a fuel source to produce power with a
14 conventional steam power plant.
- 15 3. The major components of the Solana project will be a solar field, a power block, a
16 thermal energy storage system and a heat transfer fluid system.
- 17 4. The solar field will consist of approximately 2,700 to 3,000 parabolic trough collectors
18 containing approximately 900,000 mirrors.
- 19 5. The power block will contain two 140 MW steam turbines.
- 20 6. The thermal energy storage system will use molten salt storage that will allow solar
21 power to be dispatched in accordance with peak electricity demand profiles, and during
22 cloudy or post-sunset periods.
- 23 7. The heat transfer fluid system moves the thermal energy collected in the solar field to
24 the power block and the thermal energy storage system.
- 25
26

- 1 8. Solana will be a water cooled plant that will use approximately 3,000 acre feet per year
2 within PIDD, which is substantially less than the approximately 27,500 acre feet per
3 year that has been historically delivered by PIDD and used on this site for agriculture.
4
5 9. Utility-scale parabolic trough technology has successfully performed since 1984 when
6 the first of nine trough plants were built in California's Mohave Desert.
7
8 10. The addition of Solana's clean energy production will offset the need for fossil-fueled
9 generation that would otherwise produce approximately 475,000 tons per year of
10 greenhouse gas emissions.
11
12 11. The Project is in the public interest because it aids the state in meeting the need for an
13 adequate, economical and reliable supply of electric power.
14
15 12. In balancing the need for the Project with its effect on the environment and ecology of
16 the state, the conditions placed on the Certificate by the Committee effectively
17 minimize its impact on the environment and ecology of the state.
18
19 13. The conditions placed on the Certificate by the Committee resolve matters concerning
20 the need for the Project and its impact on the environment and ecology of the state
21 raised during the course of proceedings, and as such, serve as the findings on the
22 matters raised.
23
24 14. In light of these conditions, the balancing in the broad public interest results in favor of
25 granting the Certificate.
26

THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

Hon. John Foreman, Chairman

1	Gregg Houtz	Designee for Director, Arizona Department of Water Resources
2		
3	Jack Haenichen	Designee for Director, Energy Office, Arizona Department of Commerce, attended September 22 and 23, 2008
4		
5	Jim Arwood	Director, Energy Office, Arizona Department of Commerce, attended October 14, 2008
6		
7	David Eberhart	Designee for Chairman, Arizona Corporation Commission
8		
9	Michael Biesemeyer	Appointed Member, attended September 22 and 23, 2008
10		
11	Jeff McGuire	Appointed Member
12		
13	Patricia Noland	Appointed Member
14		
15	Michael Palmer	Appointed Member
16		
17	Michael Whalen	Appointed Member
18		
19	Barry Wong	Appointed Member

Applicant was represented by Thomas H. Campbell and Albert H. Acken of Lewis and Roca LLP. Arizona Corporation Commission ("ACC" or "Commission") Staff, represented by Charles H. Hains and Robin R. Mitchell, the Sierra Club-Grand Canyon Chapter, represented by Timothy M. Hogan, and the Paloma Irrigation and Drainage District, represented by Jay Moyes and Jeffrey Zimmerman, were granted intervention pursuant to A.R.S. § 40-360.05.

At the conclusion of the hearings, the Committee, having received the Application, the appearances of the parties, the evidence, testimony, and exhibits presented at the hearings, and being advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13, upon motion duly made and seconded, voted 10 to 0 to grant Applicant this Certificate of Environmental Compatibility (Line Siting Case No. 140) for the Project.

1 The Project as approved consists of approximately 20 miles of 230 kV transmission line
2 and required substation and switchyard facilities and modifications. The single-circuit may be
3 constructed on either single-circuit or double-circuit towers.

4 The Project will originate at a new 230 kV substation within the Solana Generating Station
5 site (Line Siting Case No. 139, proceeding concurrently with this case), Maricopa County,
6 Arizona. From the new substation within the Solana site, the Project will head to the intersection
7 of Painted Rock Dam Road and Powerline Road. The Project will end at the existing APS Panda
8 Substation (Line Siting Case No. 99) located in Section 20, Township 5 South, Range 4 West,
9 Gila Bend, Arizona. The Project may interconnect with (loop in and out of) the APS Gila Bend
10 Substation in addition to terminating at the existing APS Panda 230 kV Substation. From the
11 intersection of Painted Rock Dam Road and Powerline Road, the Project's route will be as
12 follows:

- 13 • North for approximately two miles to the section line / Watermelon Road alignment,
14 within a 500-foot wide corridor. The corridor width includes 250 feet east and 250 feet
15 west of the centerline of the section line / Painted Rock Dam Road / 419th Avenue
16 alignment.
- 17 • At the section line located two miles north of Powerline Road, the route turns east along
18 the section line / Watermelon Road alignment for approximately sixteen miles to the
19 existing APS Panda 230 kV Substation, located in Section 20, Township 5 South, Range 4
20 West, Gila Bend, Arizona. Between 419th Avenue and 355th Avenue the corridor width is
21 2,000 feet; 1,000 feet north and 1,000 feet south of the centerline of section line /
22 Waterline Road alignment. From 355th Avenue to the midsection line between 331st
23 Avenue and 323rd Avenue, the corridor width is 1,000 feet, located south of the centerline
24 of the section line / Watermelon Road alignment. From the midsection line between 331st
25 Avenue and 323rd Avenue to the east side of the existing APS Panda 230 kV Substation,
26

1 the corridor width is 1,250 feet, located south of the centerline of the section line /
2 Watermelon Road alignment.

- 3 • At the point along the section line / Watermelon Road alignment located parallel to the
4 eastern boundary of the existing APS Panda 230 kV Substation, the route extends 1,000
5 feet north of Watermelon Road, within a 500-foot wide corridor east of the existing APS
6 Panda 230 kV Substation.

7 For the authorized, but not required, loop in and out of the Gila Bend Substation, the
8 Project's route also includes the following corridor:

- 9 • A 1,000-foot wide corridor, approximately two miles long, located between Watermelon
10 Road and the APS Gila Bend Substation, primarily along the alignment of the existing
11 APS 230 kV Gila Bend transmission line (Line Siting Case No. 26). The corridor width
12 includes 500 feet east and 500 feet west of the centerline of the existing alignment. Within
13 this corridor, the portion of the circuit extending south from Watermelon Road to the APS
14 Gila Bend Substation and the portion extending north from the APS Gila Bend Substation
15 to Watermelon Road may be placed on two sets of single-circuit towers or on one set of
16 double-circuit towers.

17 A general location map of the Project, described herein, is set forth in **Exhibit A**.

18 **CONDITIONS**

19 This Certificate is granted upon the following conditions:

- 20 1. The Applicant, or its assignee(s), shall obtain all required approvals and permits
21 necessary to construct the Project.
- 22 2. The Applicant, or its assignee(s), shall comply with all existing applicable ordinances,
23 master plans and regulations of the Town of Gila Bend, State of Arizona, the County
24 of Maricopa, the United States, and any other governmental entities having
25 jurisdiction.

26

1 3. This authorization to construct the Project will expire ten (10) years from the date the
2 Certificate is approved by the Commission unless the Project is completed and capable
3 of operation within the ten-year time frame. If the Project is not complete and capable
4 of operation within the ten-year time frame, the Applicant or its assignee(s), may
5 request that the Commission extend this time limitation.

6 4. In the event that the Project requires an extension of the term of this Certificate prior to
7 completion of construction, Applicant, or its assignee(s), shall use commercially
8 reasonable means to directly notify all landowners and residents within one mile of the
9 Project corridor for which the extension is sought. Such landowners and residents
10 shall be notified of the time and place of the proceeding in which the Commission shall
11 consider such request for extension.

12 **Status-** The Applicant shall comply with the above notification requirements.

13 5. The Applicant, or its assignee(s), shall document and make every reasonable effort to
14 identify and correct, on a case-specific basis, all complaints of interference with radio
15 or television signals from operation of the transmission lines and related facilities
16 addressed in this Certificate. The Applicant, or its assignee(s), shall maintain written
17 records for a period of five years of all complaints of radio or television interference
18 attributable to operation, together with the corrective action taken in response to each
19 complaint. All complaints shall be recorded to include notations on the corrective
20 action taken. Complaints not leading to a specific action or for which there was no
21 resolution shall be noted and explained.

22 **Status-** The Applicant shall comply.

23 6. To the extent applicable, Applicant, or its assignee(s), shall comply with the notice and
24 salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901, *et seq.*) and
25 will, to the extent feasible, minimize the destruction of native plants during Project
26 construction.

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

Status- The Applicant shall comply.

7. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical site or object that is at least 50 years old is discovered on state, county or municipal land during Project-related activities, the person in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the development of the subject property, Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum pursuant to A.R.S. § 41-865.

Status- The Applicant shall comply.

8. Applicant, or its assignee(s), shall design the transmission lines to incorporate reasonable measures to minimize impacts to raptors.

Status- The Applicant shall comply.

9. Applicant, or its assignee(s), shall use non-specular conductor and dulled surfaces for transmission line structures.

Status- The Applicant shall comply.

10. Before construction on this Project may commence, the Applicant, or its assignee(s), must file a construction mitigation and restoration plan ("Plan") with Commission Docket Control. Where practicable, the Plan will specify the Applicant's plans for construction access and methods to minimize impacts to wildlife, to minimize vegetation disturbance outside of the Project right-of-way, and to revegetate native areas following construction disturbance.

Status- The Applicant shall comply.

1 11. With respect to the Project, Applicant, or its assignee(s), shall participate in good faith
2 in state and regional transmission study forums such as Southwest Area Transmission
3 to coordinate transmission plans related to the Project.

4 **Status-** The Applicant shall comply.

5 12. Within 120 days of the Commission decision granting this Certificate, Applicant, or its
6 assignee(s), will post signs in public rights-of-way giving notice of the Project corridor
7 to the extent authorized by law. The Applicant, or its assignee(s), shall place signs in
8 prominent locations at reasonable intervals such that the public is notified along the
9 full length of the transmission line until the transmission structures are constructed. To
10 the extent practicable, within 45 days of securing easement or right-of-way for the
11 Project, the Applicant, or its assignee(s), shall erect and maintain signs providing
12 public notice that the property is the site of a future transmission line. Such signage
13 shall be no smaller than a normal roadway sign. The signs shall advise:

14 (a) That the site has been approved for the construction of Project facilities;

15 (b) The expected date of completion of the Project facilities;

16 (c) A phone number for public information regarding the Project;

17 (d) The name of the Project;

18 (e) The name of the Applicant, or its assignee(s); and

19 (f) The website of the Applicant, or its assignee(s).

20 **Status-** On April 6, 2009 Arizona Solar One completed the action of posting signs within
21 120 days of the Commission decision. The action was then filed with the offices of
22 Compliance Control and Docket Control on April 10, 2009. Once the right-of-way for the
23 Project is secured, within 45 days, the Applicant shall comply by erecting and maintaining
24 signs providing public notice of the future Solana Transmission Line.

25 13. The Applicant, or its assignee(s), shall provide copies of this Certificate to the Town of
26 Gila Bend, the Maricopa County Planning and Development Department, the Arizona

1 State Land Department, the State Historic Preservation Office, and the Arizona Game
2 and Fish Department.

3 **Status-** Arizona Solar One completed this action on November 13, 2009. This action
4 was than filed with the offices of Compliance Control and Docket Control on
5 November 19, 2009.

- 6 14. Within 120 days after the approval of this Certificate by the Commission, Applicant, or
7 its assignee(s), will provide known homebuilders and developers within one mile of
8 the center line of the Certificated route (i) a copy of this Certificate, (ii) a map showing
9 the location of the Project, (iii) a pictorial depiction of the type of power line being
10 constructed, and (iv) a written request that the developers and homebuilders include
11 this information in the developers' and homebuilders' homeowners' disclosure
12 statements.

13 **Status-**Arizona Solar one completed this action in conjunction with item thirteen (12),
14 on April 6, 2009, providing the two know homebuliders and developers in the area
15 with the required attachments. This action was than filed with the offices of
16 Compliance control and Docket control on April 10, 2009.

- 17 15. Before commencing construction of Project facilities located parallel to and within 100
18 feet of any existing natural gas or hazardous liquid pipeline, the Applicant, or its
19 assignee(s), shall:

- 20 (a) Perform the appropriate grounding and cathodic protection studies to show that
21 the Project's location parallel to and within 100 feet of such pipeline results in
22 no material adverse impacts to the pipeline or to public safety when both the
23 pipeline and the Project are in operation. If material adverse impacts are noted
24 in the studies, Applicant, or its assignee(s), shall take appropriate steps to
25 ensure that such material adverse impacts are mitigated. Applicant, or its
26

1 assignee(s), shall provide to Commission Staff reports of studies performed;
2 and

- 3 (b) Perform a technical study simulating an outage of the Project that may be
4 caused by the collocation of the Project parallel to and within 100 feet of the
5 existing natural gas or hazardous liquid pipeline. This study should either:
6 i) show that such outage does not result in customer outages, or ii) include
7 operating plans to minimize any resulting customer outages. Applicant, or its
8 assignee(s), shall provide a copy of this study to Commission Staff.

9 **Status-** The Applicant shall comply.

- 10 16. Applicant, or its assignee(s), will follow the latest Western Electricity Coordinating
11 Council/North American Electric Reliability Corporation planning standards as
12 approved by the Federal Energy Regulatory Commission, and National Electrical
13 Safety Code construction standards.

14 **Status-** The Applicant shall comply.

- 15 17. The Applicant, or its assignee(s), shall submit a self-certification letter annually,
16 identifying progress made with respect to each condition contained in the Certificate,
17 including which conditions have been met. Each letter shall be submitted to the
18 Commission Docket Control on December 1, beginning in 2009. Attached to each
19 certification letter shall be documentation explaining how compliance with each
20 condition was achieved. Copies of each letter along with the corresponding
21 documentation shall be submitted to the Arizona Attorney General and Department of
22 Commerce Energy Office. The requirement for the self-certification shall expire on
23 the date the Project is placed into operation.

24 **Status-** This Action was completed by the Applicant on 1 Dec 2009, and submitted
25 to Docket Control, the Arizona Attorney General and Department of Commerce
26 Energy Office.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Certificate incorporates the following findings of fact and conclusions of law:

1. The Project is in the public interest because it aids the state in meeting the need for an adequate, economical and reliable supply of electric power.
2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the Certificate by the Committee effectively minimize its impact on the environment and ecology of the state.
3. The conditions placed on the Certificate by the Committee resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings, and as such, serve as the findings on the matters raised.
4. In light of these conditions, the balancing in the broad public interest results in favor of granting the Certificate.

THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

Hon. John Foreman, Chairman