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BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

2010 JAN 21 10:35

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IN THE MATTER OF THE APPLICATION OF ARLINGTON VALLEY SOLAR ENERGY, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360.03 AND 40-360.06 et seq. FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE ARLINGTON VALLEY SOLAR ENERGY ("AVSE") PROJECT, AN APPROXIMATELY 125 MW SOLAR GENERATING FACILITY LOCATED IN PORTIONS OF SECTIONS 20, 21 AND 28, WITH ASSOCIATED SWITCHYARDS AND GEN-TIE LINES INTERCONNECTING FROM THE AVSE PROJECT SITE TO THE EXISTING HASSAYAMPA SWITCHYARD LOCATED IN SECTION 15, ALL IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, MARICOPA COUNTY, ARIZONA.

Docket No. L-00000PP-09-0548-00153

Case No. 153

Arizona Corporation Commission DOCKETED

JAN 26 2010

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF ARLINGTON VALLEY SOLAR ENERGY II, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360.03 AND 40-360.06 et seq. FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE ARLINGTON VALLEY SOLAR ENERGY II ("AVSE II") PROJECT, AN APPROXIMATELY 125 MW SOLAR GENERATING FACILITY LOCATED IN PORTIONS OF SECTIONS 25, 26, 27, 35 AND 36, AND ASSOCIATED SWITCHYARDS AND GEN-TIE LINES INTERCONNECTING FROM THE AVSE PROJECT SITE TO THE EXISTING HASSAYAMPA SWITCHYARD LOCATED IN SECTION 15, ALL IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, MARICOPA COUNTY, ARIZONA.

Docket No. L-00000QQ-09-0549-00154

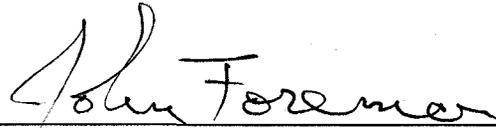
Case No. 154

NOTICE OF FILING E-MAIL COMMUNICATIONS

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date, since the previous filing on December 9, 2009.

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DATED: January 26, 2010



John Foreman, Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
Assistant Attorney General  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

Pursuant to A.A.C. R14-3-204,  
The Original and 25 copies were  
filed January 26, 2010 with:

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007

Copy of the above was mailed  
this 26<sup>th</sup> day of January, 2010 to:

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

Jay Moyes  
Moyes, Sellers & Sims  
1850 North Central Avenue  
Suite 1100  
Phoenix, AZ 85004  
Counsel for Applicant, AVSE

Marta T. Hetzer  
Arizona Reporting Service, Inc.  
2200 North Central Avenue  
Phoenix, Arizona 85004-1481



**From:** Tara Williams  
**To:** Alward, Janice; Moyes, Jay  
**Date:** 12/11/2009 11:54 AM  
**Subject:** Agenda  
**Attachments:** Agenda.pdf

**CC:** Hetzer, Marta; Kornegay, LuAnn

I have attached the agenda for #153/154 which was filed today with the Corporation Commission.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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

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IN THE MATTER OF THE APPLICATION OF ARLINGTON VALLEY SOLAR ENERGY, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360.03 AND 40-360.06 *et seq.* FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE ARLINGTON VALLEY SOLAR ENERGY ("AVSE") PROJECT, AN APPROXIMATELY 125 MW SOLAR GENERATING FACILITY LOCATED IN PORTIONS OF SECTIONS 20, 21 AND 28, WITH ASSOCIATED SWITCHYARDS AND GEN-TIE LINES INTERCONNECTING FROM THE AVSE PROJECT SITE TO THE EXISTING HASSAYAMPA SWITCHYARD LOCATED IN SECTION 15, ALL IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, MARICOPA COUNTY, ARIZONA.

Docket No. L-00000PP-09-0548-00153

Case No. 153

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IN THE MATTER OF THE APPLICATION OF ARLINGTON VALLEY SOLAR ENERGY II, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360.03 AND 40-360.06 *et seq.* FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING CONSTRUCTION OF THE ARLINGTON VALLEY SOLAR ENERGY II ("AVSE II") PROJECT, AN APPROXIMATELY 125 MW SOLAR GENERATING FACILITY LOCATED IN PORTIONS OF SECTIONS 25, 26, 27, 35 AND 36, AND ASSOCIATED SWITCHYARDS AND GEN-TIE LINES INTERCONNECTING FROM THE AVSE PROJECT SITE TO THE EXISTING HASSAYAMPA SWITCHYARD LOCATED IN SECTION 15, ALL IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, MARICOPA COUNTY, ARIZONA.

Docket No. L-00000QQ-09-0549-00154

Case No. 154

**AGENDA**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general public, the parties and the Arizona Power Plant and Transmission Line Siting Committee ("Committee") that the Committee will hold a meeting/hearing on the above applications that is open to the public at the Hampton Inn located at 2000 North Litchfield Road, Goodyear, Arizona 85395; telephone number: (623) 536-1313. The hearing will begin on Tuesday, January 26, 2010, at 9:30 a.m. If the hearing has not concluded, it will continue on

1 Wednesday, January 27, 2010, at 8:00 a.m., if a tour is taken, otherwise it will begin at 9:30  
2 a.m. The hearing will adjourn at approximately 5:00 p.m. on each day. Public comment will be  
3 taken during the hearing at times designated by the Chairman. Public comment also will be  
4 taken in a special evening session on January 26, 2010, at 6:00 p.m. at the same location.  
5 Additional days for the hearing may be set, or the hearing may conclude earlier than  
6 anticipated, depending upon the number of parties that intervene, the amount of testimony  
7 presented, the amount of public comment, and the time needed for deliberations by the  
8 Committee. As a part of the public meeting/hearing, members of the Committee will discuss  
9 the potential value of a tour, and, at the discretion of the Chairman of the Committee, may  
10 tour the proposed route for the project on January 27, 2010, beginning at 8:00 a.m. At the  
11 meeting/hearing, the Committee may consider, discuss, deliberate and/or vote on the matters  
12 on the Agenda. Items on the Agenda may be taken in a different order than listed as  
13 conditions require.

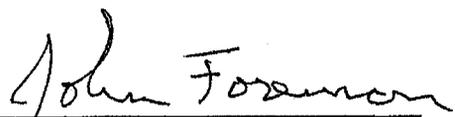
- 14 1. Call to Order;
- 15 2. Roll Call;
- 16 3. Consideration of and vote upon any requests to intervene;
- 17 4. Hearing on the application;
- 18 5. Public Comment;
- 19 6. Discussion of potential value of a tour of the proposed route;
- 20 7. If it is decided a tour would be valuable, the Committee will travel along the route,  
21 following an itinerary which will be available at the hearing. A detailed description of  
22 the tour route and itinerary, including a map, will be on file at the Arizona Corporation  
23 Commission. Members of the public may follow the Committee's tour by use of their  
24 own private vehicles. No testimony or discussion with or between Committee  
25 Members about the Application or matters relating to the Application will take place,  
26 except on the record before a court reporter at the designated stops. The Chairman of  
27 the Committee will make any procedural decisions concerning stops at different points  
of interest;
8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of  
Environmental Compatibility and conditions to the Certificate of Environmental  
Compatibility;
9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate of  
Environmental Compatibility and conditions to the Certificate of Environmental  
Compatibility; and,
10. Adjournment.

Persons with a disability may request a reasonable accommodation, such as a  
sign language interpreter, by contacting Shaylin Bernal, voice phone number: (602)  
542-3931, e-mail: [sabernal@azcc.gov](mailto:sabernal@azcc.gov). Requests should be made as early as possible  
to arrange the accommodation. All materials relating to the hearing, including any tour,

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may be found at the Docket Control of the Arizona Corporation Commission, 1200 W. Washington, Phoenix, AZ 85007, first floor.

DATED this 11<sup>th</sup> day of December, 2009.

  
John Foreman, Chairman  
Arizona Power Plant and Transmission  
Site Siting Committee  
Assistant Attorney General  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

Pursuant to A.A.C. R14-3-204,  
The Original and 25 copies were  
filed this 11<sup>th</sup> day of December, 2009 with:

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007

Copy of the above was mailed  
this 11<sup>th</sup> day of December, 2009 to:

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

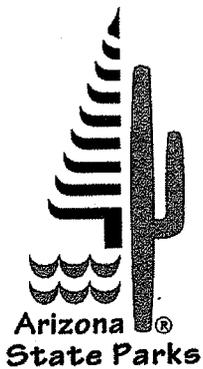
**From:** Tara Williams  
**To:** Alward, Janice; Moyes, Jay  
**CC:** Hetzer, Marta; Kornegay, LuAnn  
**Date:** 12/28/2009 9:54 AM  
**Subject:** #153/154 SHPO Correspondence  
**Attachments:** SHPO Letter.pdf

Good Morning,

I have attached a letter received by our office and filed today with the Corporation Commission.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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"Managing and conserving Arizona's natural, cultural and recreational resources"  
December 21, 2009

L-00000PP-09-0548-00153

L-00000QQ-09-0549-00154

John Foreman, Chairman  
Arizona Power Plant and Transmission Line Siting Committee  
Office of Attorney General  
1275 West Washington Street  
Phoenix, AZ 85007

PAD / CPA

DEC 24 2009

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RE: Arlington Valley Solar Energy Projects  
Docket No. L-00000PP-09-0548-00153  
Docket No. L-00000QQ-09-0549-00154  
State Act Consultation  
SHPO-2009-1013 (75558)

Janice K. Brewer  
Governor

State Parks  
Board Members

Chair  
Reese Woodling  
Tucson

Tracey Westerhausen  
Phoenix

Larry Landry  
Phoenix

Walter D. Armer, Jr.  
Vail

Arlan Colton  
Tucson

William C. Scalzo  
Phoenix

Maria Baier  
State Land  
Commissioner

Renée E. Bahl  
Executive Director

Arizona State Parks  
1300 W. Washington  
Phoenix, AZ 85007

Tel & TTY: 602.542.4174  
AZStateParks.com

800.285.3703 from  
(520 & 928) area codes

General Fax:  
602.542.4180

Director's Office Fax:  
602.542.4188

Mr. Foreman:

Thank you for consulting with the State Historic Preservation Office (SHPO) pursuant to A.R.S. § 41-864 for the Arizona Corporation Commission regarding an application by Arlington Valley Solar Energy, LLC, for a Certificate of Environmental Compatibility [CEC] for their two new solar projects in Maricopa County, Arizona, and we offer the following comments.

We recommended that the project areas be inspected for cultural resources by a qualified archaeologist in order to locate and evaluate any existing cultural remains within the project areas. The two solar energy projects in Arlington Valley both appear to entail lands belonging to the Arizona State Land Department [ASLD], and should involve ASLD and consultation pursuant to A.R.S. § 41-861 through 864, A.R.S. § 41-841 through 844, Executive Order 2006-14, and other state historic preservation legislation enacted to protect and preserve Arizona cultural resources. This includes a permit from Arizona State Museum [ASM] for any archaeological activities on State Lands. It should also be stated that our advice to a county or state agency [under the state statute] should not be construed or used in any way to substitute for or limit our advice to a federal agency under federal law.

We appreciate your cooperation with this office in considering the potential impacts of development on cultural resources situated in Arizona. If you have any questions or comments, please contact me at (602) 542-7140 or electronically at [djacobs@azstateparks.gov](mailto:djacobs@azstateparks.gov).

Sincerely,

David Jacobs  
Compliance Specialist/Archaeologist  
State Historic Preservation Office

CC: Nancy Pearson, ASM  
Steve Ross, ASLD

**From:** Tara Williams  
**To:** Alward, Janice; Moyes, Jay  
**CC:** Hetzer, Marta; Kornegay, LuAnn  
**Date:** 1/15/2010 10:06 AM  
**Subject:** New Agenda for #153/154  
**Attachments:** 20100115084649517.pdf

Good Morning,

The Chairman has drafted a new agenda for the hearing set to begin on January 26th. Please note that it will start at 9:30 am the first day and at 9:00 am on the second day, January 27th, if a tour is not taken.

This agenda is being filed today with the Corporation Commission.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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

IN THE MATTER OF THE APPLICATION OF  
ARLINGTON VALLEY SOLAR ENERGY, LLC, IN  
CONFORMANCE WITH THE REQUIREMENTS  
OF ARIZONA REVISED STATUTES §§ 40-360.03  
AND 40-360.06 *et seq.* FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF THE  
ARLINGTON VALLEY SOLAR ENERGY ("AVSE")  
PROJECT, AN APPROXIMATELY 125 MW  
SOLAR GENERATING FACILITY LOCATED IN  
PORTIONS OF SECTIONS 20, 21 AND 28, WITH  
ASSOCIATED SWITCHYARDS AND GEN-TIE  
LINES INTERCONNECTING FROM THE AVSE  
PROJECT SITE TO THE EXISTING  
HASSAYAMPA SWITCHYARD LOCATED IN  
SECTION 15, ALL IN TOWNSHIP 1 SOUTH,  
RANGE 6 WEST, MARICOPA COUNTY,  
ARIZONA.

Docket No. L-00000PP-09-0548-00153

Case No. 153

IN THE MATTER OF THE APPLICATION OF  
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AUTHORIZING CONSTRUCTION OF THE  
ARLINGTON VALLEY SOLAR ENERGY II ("AVSE  
II ") PROJECT, AN APPROXIMATELY 125 MW  
SOLAR GENERATING FACILITY LOCATED IN  
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AND ASSOCIATED SWITCHYARDS AND GEN-  
TIE LINES INTERCONNECTING FROM THE  
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SECTION 15, ALL IN TOWNSHIP 1 SOUTH,  
RANGE 6 WEST, MARICOPA COUNTY,  
ARIZONA.

Docket No. L-00000QQ-09-0549-00154

Case No. 154

**AMENDED AGENDA**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general public, the parties and the Arizona Power Plant and Transmission Line Siting Committee ("Committee") that the Committee will hold a meeting/hearing on the above applications that is open to the public at the Hampton Inn located at 2000 North Litchfield Road, Goodyear, Arizona 85395; telephone number: (623) 536-1313. The hearing will begin on Tuesday, January 26, 2010, at 9:30 a.m. If the hearing has not concluded, it will continue on

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2 a.m. The hearing will adjourn at approximately 5:00 p.m. on each day. Public comment will be  
3 taken during the hearing at times designated by the Chairman. Public comment also will be  
4 taken in a special evening session on January 26, 2010, at 6:00 p.m. at the same location.  
5 Additional days for the hearing may be set, and the hearing may conclude earlier or later than  
6 anticipated, depending upon the number of parties that intervene, the amount of testimony  
7 presented, the amount of public comment, and the time needed for deliberations by the  
8 Committee. As a part of the public meeting/hearing, members of the Committee will discuss  
9 the potential value of a tour, and, at the discretion of the Chairman of the Committee, may  
10 tour the proposed route for the project on January 27, 2010, beginning at 8:00 a.m. At the  
11 meeting/hearing, the Committee may consider, discuss, deliberate and/or vote on the matters  
12 on the Agenda. Items on the Agenda may be taken in a different order than listed as  
13 conditions require.

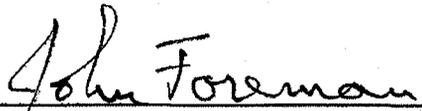
- 8 1. Call to Order;
- 9 2. Roll Call;
- 10 3. Consideration of and vote upon any requests to intervene;
- 11 4. Hearing on the application;
- 12 5. Public Comment;
- 13 6. Discussion of potential value of a tour of the proposed route;
- 14 7. If it is decided a tour would be valuable, the Committee will travel along the route,  
15 following an itinerary which will be available at the hearing. A detailed description of  
16 the tour route and itinerary, including a map, will be on file at the Arizona Corporation  
17 Commission. Members of the public may follow the Committee's tour by use of their  
18 own private vehicles. No testimony or discussion with or between Committee  
19 Members about the Application or matters relating to the Application will take place,  
20 except on the record before a court reporter at the designated stops. The Chairman of  
21 the Committee will make any procedural decisions concerning stops at different points  
22 of interest;
- 23 8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of  
24 Environmental Compatibility and conditions to the Certificate of Environmental  
25 Compatibility;
- 26 9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate of  
27 Environmental Compatibility and conditions to the Certificate of Environmental  
Compatibility; and,
10. Adjournment.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Shaylin Bernal, voice phone number: (602) 542-3931, e-mail: [sabernal@azcc.gov](mailto:sabernal@azcc.gov). Requests should be made as early as possible to arrange the accommodation. All materials relating to the hearing, including any tour,

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may be found at the Docket Control of the Arizona Corporation Commission, 1200 W. Washington, Phoenix, AZ 85007, first floor.

DATED this 15<sup>th</sup> day of January, 2010.

  
John Foreman, Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
Assistant Attorney General  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

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Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007

Copy of the above was mailed  
this 15<sup>th</sup> day of January, 2010 to:

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

**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 1/21/2010 4:31 PM  
**Subject:** RE: Arlington Valley Solar Energy

Thanks so much! Have a safe evening

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Thursday, January 21, 2010 4:30 PM  
To: LuAnn Kornegay  
Subject: Re: Arlington Valley Solar Energy

Hi LuAnn,

I left a message for Mr. McGuire. If I do not hear from him by tomorrow morning, I'll try again.

Thank you,  
Tara

>>> "LuAnn Kornegay" <LKKornegay@LAWMS.COM> 1/21/2010 8:01 AM >>>

Good morning Tara

By any chance do you have a street address for Jeff McGuire? We are FedExing out the exhibit books and I only have his P O Box.

Also, do you happen to know if Jessica Youle has changed her last name to Smothermom?

Thanks! Hope your day is great!

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com<mailto:lkkornegay@lawms.com>

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