

INTERVENTION



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AZ CORP COMMISSION
DOCUMENT CONTROL

1 Earl, Curley & Lagarde
3101 N. Central Avenue, Suite 1000
2 Phoenix, Arizona 85012
602-265-0094

3 Attorneys for Cortessa, L.L.C.
4 Lynne A. Lagarde

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

7 IN THE MATTER OF THE APPLICATION OF)
8 ARIZONA PUBLIC SERVICE COMPANY IN)
9 CONFORMANCE WITH THE REQUIREMENTS)
10 OF ARIZONA REVISED STATUTES)
SECTION 40-360, et seq., FOR A CERTIFICATE)
11 OF ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING THE WEST VALLEY-SOUTH)
12 230 KV TRANSMISSION LINE PROJECT,)
INCLUDING THE CONSTRUCTION OF)
13 APPROXIMATELY 18 MILES OF 230 KV)
TRANSMISSION LINES AND THREE)
230 KV SUBSTATIONS IN MARICOPA)
14 COUNTY, ARIZONA, ORIGINATING)
AT THE PROPOSED TS2 SUBSTATION IN)
15 SECTION 19 TOWNSHIP 1 NORTH, RANGE 2,)
WEST, G&SRB&M AND CONTINUING TO THE)
16 PROPOSED TS3 SUBSTATION IN)
SECTION 22, TOWNSHIP 2, NORTH,)
17 RANGE 3 WEST, G&SRB&M AND)
TERMINATING AT THE EXISTING 230 KV)
18 TRANSMISSION LINE THAT WILL)
INTERCONNECT WITH THE PROPOSED TS4)
19 SUBSTATION IN SECTION 28, TOWNSHIP 3)
NORTH, RANGE 2 WEST, G&SRB&M)

Docket No:
L-00000D-03-0122

Case No: 122

Arizona Corporation Commission
DOCKETED

AUG 08 2003

DOCKETED BY *CB*

NOTICE OF INTENT TO BE A PARTY

I.

24 Pursuant to A.R.S. §40-360.05 and A.A.C. R14-3-206, CORTESSA, L.L.C. hereby files notice of
25 its intent to be a party at the above-captioned proceeding. Cortessa, L.L.C. is the owner of the 613
26 acre Cortessa master planned residential community site on the north side of Olive Avenue

1 between Perryville Road and Citrus Avenue. Cortessa has been master planned by Cortessa,
2 L.L.C. as a residential community with family-oriented open spaces and amenities. (See the
3 Conceptual Landscape Plan for Cortessa attached as EXHIBIT A.) The Cortessa development
4 will create a neighborhood designed to endure and provide a quality family living environment for
5 decades.

6
7 The Cortessa primary entrance and community identity elements were located along Olive
8 Avenue with the knowledge that Olive was designated as the entry corridor into the White Tank
9 Mountain Regional Park. (See the Cortessa Community Identification Entry Monuments
10 drawings attached as EXHIBIT B.) The White Tank Mountain Regional Park and the associated
11 aesthetic treatment of Olive Avenue as the Park entry corridor adds significantly to the desirability
12 of the Cortessa residential community and the quality of life it will offer. The negative visual
13 impact of the 230 kV transmission line towers will destroy the aesthetics of both Olive Avenue
14 and the Cortessa residential community.

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II.

17 Because of the unquestionable detrimental impact of the proposed Arizona Public Service
18 Company (APS) transmission line on the Cortessa community and its future residents, Cortessa,
19 L.L.C. representatives had been meeting with APS representatives, and when they were ultimately
20 advised of the intervention procedure, the attached letter to Laurie Ann Woodall, Chairman of the
21 Arizona Power Plant and Transmission Line Siting Committee, was sent on August 1, 2003, for
22 consideration as a formal request to be allowed to intervene in this matter and for the purposes of
23 satisfying applicable deadlines. (See EXHIBIT C.) There being no objection by other parties,
24 this formal notice of intent to be a party is being filed for full compliance with procedural
25 requirements.

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III.

It is the position of Cortessa, L.L.C. that the environmental impacts of the proposed transmission line on this residential neighborhood and other residences and neighborhoods along Olive Avenue have not been adequately addressed in the APS Certificate of Environmental Compatibility (CEC) application and that there are viable and potentially more cost-effective alternative transmission line routes that would avoid the detrimental impact to the White Tank Mountain Regional Park entry corridor and neighborhoods adjacent to this significant public amenity. Cortessa, L.L.C. will request that the Committee deny the APS CEC as filed and direct APS to provide an alternative to the transmission line route to avoid Olive Avenue impacts.

IV.

Notices and service are requested to be sent to:
Lynne A. Lagarde
Earl, Curley & Lagarde
3101 N. Central Avenue, Suite 1000
Phoenix, Arizona 85012

RESPECTFULLY SUBMITTED this 8th Day of August, 2003.

Earl, Curley & Lagarde, PC.
3101 N. Central, Suite 1000
Phoenix, Arizona 85012

By: *Lynne A. Lagarde*
Lynne A. Lagarde

Attorneys for Cortessa, L.L.C.

1 ORIGINAL and twenty-five (25) copies
2 of the foregoing filed this 8th day of
3 August, 2003, with:

4 The Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 COPY of the foregoing hand-delivered
9 this 8th day of August, 2003, to:

10 Laurie Woodall, Chairman
11 Arizona Power Plant and Transmission
12 Line Siting Committee
13 Office of the Attorney General
14 1275 W. Washington Street
15 Phoenix, Arizona 85007

16 Roger K. Ferland
17 Quarles & Brady Streich Lang LLP
18 One Renaissance Square
19 Two North Central Avenue
20 Phoenix, Arizona 85004-2391
21 Attorneys for Camelback, L.L.C.

22 Alicia Corbett
23 Gammage & Burnham, P.L.C.
24 Two North Central Avenue
25 Eighteenth Floor
26 Phoenix, AZ 85004
Attorneys for Maricopa Water District

Karrin Kunasek Taylor
Biskind, Hunt & Taylor
11201 N. Tatum Boulevard, Suite 330
Phoenix, Arizona 85028
Attorney for DMB

1 Jordan Rose
2 Jorden, Bischoff, McGuire & Rose
3 7272 E. Indian School Road, #205
4 Scottsdale, Arizona 85251
5 Attorneys for South Side of Olive Avenue Property Owners

6 COPY of the foregoing mailed this
7 8th day of August, 2003, to:

8 C. David Martinez
9 Mail Station 8695
10 P. O. Box 53999
11 Phoenix, Arizona 85072
12 Attorney for Pinnacle West Capital Corporation

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CONCEPTUAL PLANT PALETTE

BOTANICAL/Common Name

TREES

- ACACIA ANERA MULGA
- ACACIA BALACINA WILLOW ACACIA
- ACACIA SMALLII SWEET ACACIA
- DALBERGIA BISSOO BISSOO TREE
- FRAXINUS VELUTINA RIO GRANDE FANTEX ASH
- PISTACHIA CHINENSIS CHINESE PISTACHE
- PHOENIX DACTYLIFERA DATE PALM
- PROSOPIA CHILENSIS THORNLESS THORNLESS CHILEAN MESQUITE
- ULMUS PARVIFOLIA EVERGREEN ELM
- WASHINGTONIA ROBUSTA MEXICAN FAN PALM

SHRUBS

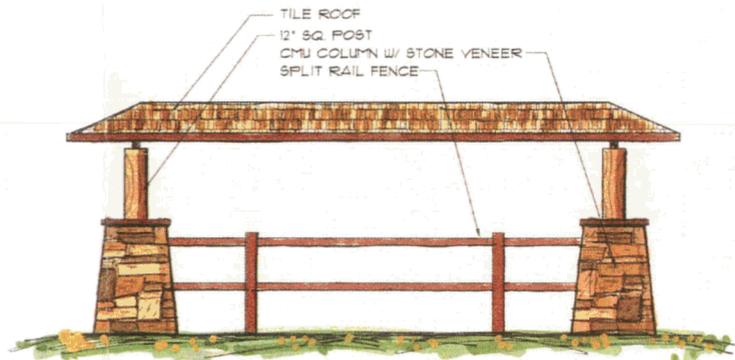
- BAILEYA MULTIRADIATA DESERT MARGOLD
- BOUGAINVILLEA SP. 'LA JOLLA'
- CAESALPINIA FULCHERRIMA RED BIRD OF PARADISE
- CALLIANDRA CALIFORNICA BAJA FAIRY DUSTER
- CASSIA ARTESIMIOIDES FEATHERY CASSIA
- EREMOPHILA SP. VALENTINE
- LUECOPHYLLUM SP. TEXAS SAGE
- MULLENBERGIA CAPILLARIS 'REGAL MIST'
- MULLENBERGIA RIGENS DEER GRASS

SHRUBS CONT.

- NERIUM OLEANDER 'PETITE PINK' OLEANDER
- RUPELLIA BRITTONIANA RUPELLIA
- RUPELLIA PENINSULARIS BAJA RUPELLIA
- ACCENTS
- AGAVE SP. AGAVE
- CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM
- DASYLIRION WHEELERI DESERT SPOON
- HESPERALOE PARVIFLORA RED YUCCA
- DASYLIRION AGROTRICHE GREEN DESERT SPOON

GROUNDCOVERS

- ACACIA REDOLENS 'DESERT CARPET'
- BACCHARIS 'CENTENNIAL' DESERT BROOM HYBRID
- CONVOLVULUS CNEORUM BUSH MORNING GLORY
- CYNODON DACTYLON COMMON BERMUDA
- HYMENOXYIS ACAULIS ANGELITA DAISY
- LANTANA MONTEVIDENSIS PURPLE LANTANA
- LANTANA SP. 'NEW GOLD' LANTANA
- MALEPHORA LUTEA ROCKY POINT ICE PLANT
- ROSMARINUS OFFICINALIS 'PROSTRATUS' DWARF ROSEMARY



EQUESTRIAN REST AREA/SHADE STRUCTURE

N.T.S.

CONCEPTUAL LANDSCAPE PLAN

CORTESSA



0 230 460 690 920

PREPARED FOR: STARDUST DEVELOPMENT
PREPARED BY: F2 GROUP 6.5.03 0319

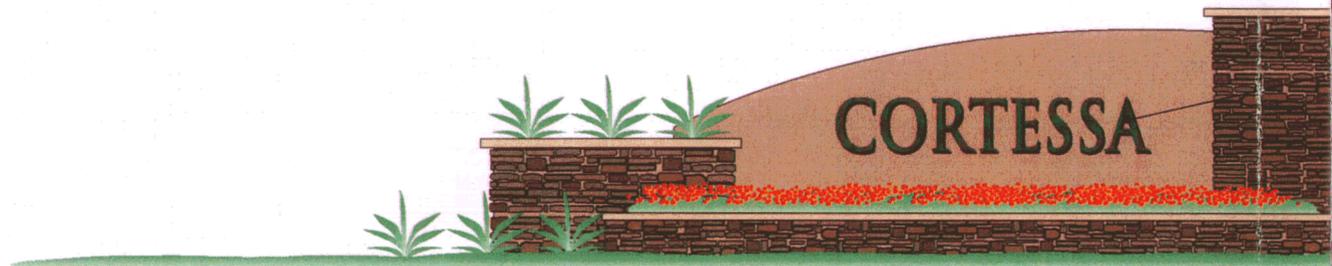
EXHIBIT A



Major Entry Monument
Scale : 3/16"=1'-0"



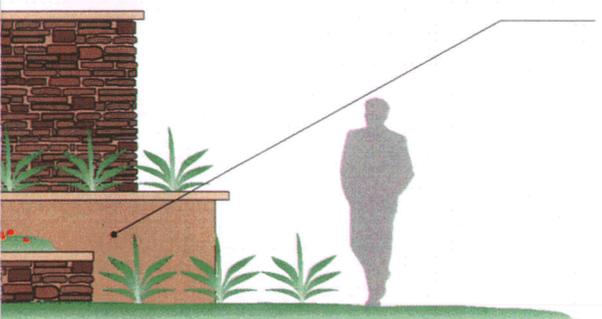
Secondary Entry Monument
Scale : 3/16"=1'-0"



Minor Entry Monument
Scale : 3/16"=1'-0"



Trim cap to be painted to match ICI 429 "Desert Sand"



Sign wall background to be painted to match ICI 371 "Sanderling"



Faux verde patina finished letters to be halo illuminated with warm white neon.

EXHIBIT B

DESIGNED BY		1526 W. Lobster Trap Dr. Gilbert, Arizona 85233 480.507.3474 Fax 507.0593 Copyright 2003	
PROJECT		CORTESSA	
DESCRIPTION		COMMUNITY IDENTIFICATION Entry Monuments	
SIGN TYPE			
DATE	6/9/03		
PAGE	1		

EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

August 1, 2003

VIA FACSIMILE/E-MAIL
602-542-7798

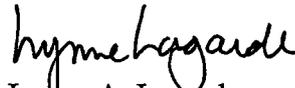
Laurie Anne Woodall
Office of the Attorney General
State of Arizona
1275 W. Washington St.
Phoenix, Arizona 85007-2997

Re: Stardust/Cortessa
West Valley South Line Siting Project

Dear Ms. Woodall:

Our office has long represented Stardust Development in land use matters and has been asked to assist them in their presentation on behalf of their Cortessa project to the Arizona Power Plant and Transmission Line Siting Committee at the public hearings on August 11 and August 12, 2003. We have recently been advised by Steve Goodman of APS that there is a time deadline for the filing of a request to intervene in this matter and since we were unable to contact you today, we are requesting that you consider this our formal request for the purposes of satisfying any applicable deadlines. If there is any follow-up paperwork required, please advise us at your earliest convenience.

Very truly yours,


Lynne A. Lagarde

LAL/dmh

Cc: Bob Speirs

O:\INDEX\Stardust\Cortessa\Lra\AttyGen\Woodall8-1-03.doc

EXHIBIT C