

ORIGINAL



0000120379

RECEIVED

Mail Station PAB221
P.O. Box 52025
Phoenix, AZ 85072-2025

2010 DEC -1 A 10: 35

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Jana Brandt
Regulatory Agency Representative
Regulatory Affairs and Contracts
Phone: (602) 236-5028
Fax: (602) 236-3458
e-mail: jkbrandt@srpnet.com

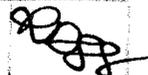
December 1, 2010

Arizona Corporation Commission

DOCKETED

DEC 1 2010

Mr. Steve Olea
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

DOCKETED BY 

Re: Docket No. L-00000B-09-0311-00148, Decision No. 71441

Dear Mr. Olea:

Pursuant to Condition No. 20 of the Certificate of Environmental Compatibility (CEC) for the Abel-Moody 230kV Transmission Project, Decision No. 71441 (December 23, 2009), the Salt River Project (SRP) is filing its first annual self-certification letter. This report provides up-to-date information and documentation on the status of our efforts to comply with each condition in the referenced CEC decision.

If you or your staff has any questions, please feel free to contact me.

Sincerely,

Jana Brandt
SRP Regulatory Affairs and Contracts

cc: John Foreman, Attorney General Office
Jerry Ewing, Deputy Director, Arizona Commerce Authority Energy Office
Brian Bozzo, Arizona Corporation Commission
Docket Control (Original, plus 13 copies)

**Abel – Moody 230 kV Transmission Project CEC – Case 148
Decision No. 71441 dated December 23, 2009
L-00000B-09-0311-00148**

Annual Compliance Filing dated December 1, 2010

This Certificate is granted upon the following conditions:

1. The Applicant shall obtain all approvals and permits required by the United States, including the Federal Aviation Administration, the State of Arizona, the Counties of Maricopa and Pinal, and any other governmental entities having jurisdiction necessary to construct the Project.

SRP will comply with this condition. As noted in Condition 22, SRP has received approval from the Federal Aviation Administration (FAA) for the height of the poles to be located along Ryan Road. The FAA granted such approval of the individual pole heights through August 26, 2010, issuing a “Determination of No Hazard to Air Navigation”. Recently, the FAA granted SRP an 18 month extension for the poles which will expire on April 13, 2012. SRP plans to continue to request extensions of the FAA approval for the pole heights until the project is completed.

2. The Applicant shall comply with all existing applicable statutes, ordinances, master plans and regulations of the United States, the State of Arizona, the Counties of Maricopa and Pinal and any other governmental entities having jurisdiction during the construction and operation of the transmission line and substation.

SRP will comply with this condition.

3. 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 plan-related activities as defined in Condition No. 13, the Applicant or its representative 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. A.R.S. § 41-844.

SRP will comply with this condition.

4. 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 transmission line and substation, the Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum. A.R.S. § 41-865.

SRP will comply with this condition.

5. To the extent applicable, the Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize the destruction of native plants during the construction of the transmission line and substation.

SRP will comply with this condition.

6. The Applicant shall not assign this Certificate or its interest in the Project authorized by this Certificate unless both Applicant (as Transferor/Assignor) and Transferee/Assignee has signed a "Notice of Transfer of Certificate of Environmental Compatibility" ("Notice") as required under A.R.S. § 40-360.08(A) and A.A.C. R14-3-213(F). That Notice must be filed in this Docket. Transferee/Assignee, as part of acquiring any interest in the Project, must agree to comply with all terms, limitations and conditions contained within this Certificate originally issued to Applicant by the Arizona Power Plant and Transmission Line Siting Committee and approved and/or issued by the Arizona Corporation Commission.

SRP will comply with this condition.

7. This authorization to construct this Project shall expire twelve (12) years from the date the Certificate is approved by the Commission unless the transmission line and substation is capable of operation. However, prior to expiration, the Applicant or its assignees may request that the Commission extend this time limitation.

SRP will comply with this condition.

8. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to notify all landowners and residents within one mile of the Project corridor as depicted on Exhibit A, all persons who made public comment at this proceeding, and all parties to this proceeding of the request and the time and place of the hearing in which the Commission will consider the request for extension.

SRP will comply with this condition.

9. The Applicant shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio, television, or aviation navigational and communication signals from operation of the transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain written records for a period of five years of all complaints of radio or television interference attributable to operation, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained.

Once the project is constructed, SRP will make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the line and related facilities. SRP has a process in place to address such complaints, including maintaining records of all interference-related complaints.

10. Within 120 days of the Commission decision granting this Certificate, Applicant will post signs in public rights-of-way giving notice of the Project corridor to the extent authorized by law. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until the transmission structures are constructed. To the extent practicable, within 45 days of securing easement or right-of-way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The signs shall advise:
- (a) That the site has been approved for the construction of Project facilities;
 - (b) The expected date of completion of the Project facilities;
 - (c) A phone number for public information regarding the Project;
 - (d) The name of the Project;
 - (e) The name of the Applicant; and
 - (f) The website of the Project.

SRP has complied with this condition and provided notice of such to the Commission on April 14, 2010. SRP has placed 8 signs along the ACC approved corridor and one sign at the future substation site.

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

SRP will comply with this condition.

12. Applicant, or its assignee(s), shall use non-specular conductor and dulled surfaces for transmission line structures, and comply with FAA Advisory Circular 70/7460-1, Obstruction Marking and Lighting in consultation with the Phoenix-Mesa Gateway Airport Authority.

SRP will comply with this condition.

13. Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where practicable, the Plan shall specify the Applicant's plans for construction access and methods to minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-of-way particularly in drainage channels and along stream banks, and shall re-vegetate, unless waived by the landowner, native areas of construction disturbance to its preconstruction state outside of the power-line right of way after construction has been completed. The Plan shall specify the Applicant's plans for coordination with the Arizona Game and Fish Department and the State Historic Preservation Office, Arizona Department of Transportation, and the Federal Aviation Administration. The Applicant shall use existing roads for construction and access where practicable and the Plan shall specify the manner in which the Applicant makes use of existing roads.

SRP will comply with this condition.

14. With respect to the Project, Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.

SRP continues to participate in good faith in state and regional transmission study forums, such as Southwest Area Transmission (SWAT), and Central Arizona Transmission (CATS), a subcommittee of SWAT.

15. The Applicant shall provide copies of this Certificate to appropriate city, town and county planning agencies, mayors and town councils, Phoenix-Mesa Gateway Airport Authority, Pinal County Board of Supervisors, Maricopa County Board of Supervisors, the Arizona State Land Department, Arizona Department of Transportation, the State Historic Preservation Office, and the Arizona Game and Fish Department.

SRP has complied with this condition. Copies of the original Certificate were sent by certified mail on March 8, 2010 to 52 individuals who represent the agencies, airport authority, counties, cities and towns noted in the condition. A copy of the letter and list of addressees are attached.

16. Prior to the date construction commences on this Project, the Applicant shall provide known homebuilders and developers within one mile of the center line of the Certificated route and substation with the identity, location, and a pictorial depiction of the type of power line and substation being constructed, accompanied by a written description, and encourage the developers and homebuilders to include this information in the developers' and homebuilders' homeowners' disclosure statements.

SRP will comply with this condition.

17. Prior to the date construction commences, and throughout this Project, the Applicant shall coordinate any installation of cranes or other rigging apparatus with the Phoenix-Mesa Gateway Airport Authority.

SRP will comply with this condition.

18. Before commencing construction of Project facilities located parallel to and within 100 feet of any existing natural gas or hazardous liquid pipeline, the Applicant shall:

- (a) Perform the appropriate grounding and cathodic protection studies to show that the Project's location parallel to and within 100 feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. If material adverse impacts are noted in the studies, Applicant shall take appropriate steps to ensure that such material adverse impacts are mitigated. Applicant shall provide to Commission Staff and Docket Control reports of studies performed; and
- (b) Perform a technical study simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within 100 feet of the existing natural gas or hazardous liquid pipeline. This study should either: i) show that such outage does not result in customer outages; or ii) include operating plans to minimize any resulting customer outages. Applicant shall provide a copy of this study to Commission Staff and Docket Control.

SRP will comply with this condition.

19. Applicant will follow the latest Western Electricity Coordinating Council/North American Electric Reliability Corporation Planning standards as approved by the Federal Energy Regulatory Commission, and National Electrical Safety Code construction standards.

SRP will comply with this condition.

20. The Applicant 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. Each letter shall be submitted to the Docket Control of the Arizona Corporation Commission on December 1 beginning in 2010. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. The requirement for the self-certification shall expire on the date the Project is placed into operation.

Compliance with this condition is evidenced by the submission of this filing.

21. Within sixty (60) days of the Commission decision granting this Certificate, the Applicant shall make good faith efforts to commence discussions with private landowners, on whose property the Project corridor is located, to identify the specific location for the Project's right-of-way and placement of poles.

SRP has commenced discussions with private landowners since the Certificate was granted to determine a final alignment.

22. The Applicant shall submit a "Notice of Proposed Construction or Alteration" Form 7460-1 with the Federal Aviation Administration if required by and as defined in 49 CFR Part 77. The Applicant shall also notify the Phoenix-Mesa Gateway Airport Authority prior to submittal of such form to the FAA.

SRP will continue to comply with this condition. Prior to the siting hearing, SRP requested FAA approval for the height of the poles to be located along Ryan Road. The FAA granted such approval of the individual pole heights through August 26, 2010, issuing a "Determination of No Hazard to Air Navigation". Upon the approaching FAA deadline, SRP requested an 18 month extension. The FAA granted the requested extension for the poles along Ryan Road through April 13, 2012. SRP plans to continue to request extensions of the FAA approval for the pole heights until the project is completed.

Condition 15

Attachments



Mail Station PAB221
P.O. Box 52025
Phoenix, AZ 85072-2025

Jana Brandt
Regulatory Agency Representative
Regulatory Affairs and Contracts
Phone: (602) 236-5028
Fax: (602) 236-3458
e-mail: jkbrandt@srpnet.com

VIA CERTIFIED MAIL

March 8, 2010

Honorable Vicki Kilvinger
Mayor
Town of Florence
P.O. Box 2670
Florence AZ 85132

Re: Salt River Project Agricultural Improvement and Power District
Abel-Moody 230 kV Transmission Project
Docket No. L-00000B-09-0311-00148; Decision No. 71441

Dear Mayor Kilvinger,

Attached please find a copy of the Certificate of Environmental Compatibility ("CEC") for Salt River Project Agricultural Improvement and Power District's ("SRP") Abel-Moody 230 kV Transmission Project (the "Project"), Decision No. 71441. A color copy of Exhibit A of the CEC is provided as the last page for better readability. The Project consists of approximately 20 miles of double-circuit 230 kV transmission line and a regional 230/69 kV Substation, referred to as RS-24, to be located in the Queen Creek area. The transmission line will originate at the RS-17/Moody Substations in Gilbert and terminate at the Abel Substation in Pinal County.

SRP is providing you with this copy of the permit pursuant to Condition 15 of the CEC. If you have any questions about the CEC or the Project, please do not hesitate to call Janeen Rohovit, SRP State and Local Government Relations – Pinal County, at (602) 236-2679 or refer to the Project website at www.azpower.org/abelmoody/default.asp.

Sincerely yours,

Jana Brandt

Attachment

CEC Case 148 Mailing List Condition # 15

Honorable Vicki Thomas	Kilvinger Smith	Mayor	Mayor Kilvinger	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Barbara Thomas	Brown	Councilmember	Councilmember Smith	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Thomas Arnold	Celaya	Councilmember	Councilmember Brown	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable William Vallarie	Raasch	Councilmember	Councilmember Celaya	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Himanshu Patel	Hawkins	Councilmember	Councilmember Raasch	Town of Florence	P.O. Box 2670	Florence AZ 85132
Mr. Mark Eckhoff	Woolridge	Town Manager	Councilmember Hawkins	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Art Barnes	Patel	Planning Director	Councilmember Woolridge	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Robin Benning	Sanders	Mayor	Mr. Eckhoff	Town of Florence	P.O. Box 2670	Florence AZ 85132
Honorable Jeff Joyce	Barnes	Councilmember	Mayor Sanders	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable John Wayne Scott	Benning	Councilmember	Councilmember Barnes	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Mr. John Balmer	Brown	Councilmember	Councilmember Benning	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable Dave Richins	Hildebrandt	Councilmember	Councilmember Brown	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable Alex Finter	Wooten	Councilmember	Councilmember Hildebrandt	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable Dennis Kavanaugh	Kross, AICP	Town Manager	Councilmember Wooten	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable Dina Higgins	Balmer	Planning Manager	Mr. Kross	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Honorable Scott Somers	Smith	Mayor	Mr. Balmer	Town of Queen Creek	22350 S. Ellsworth Road	Queen Creek AZ 85242
Mr. Christopher Brady	Richins	Councilmember	Mayor Smith	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Mr. John Wesley Lewis	Finter	Councilmember	Councilmember Richins	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Honorable Linda David	Kavanaugh	Councilmember	Councilmember Finter	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Honorable David Crozier	Higgins	Councilmember	Councilmember Kavanaugh	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Honorable Jenn Les	Scott	Councilmember	Councilmember Higgins	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Honorable John Steve	Somers	Councilmember	Councilmember Somers	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Mr. Collin Kyle	Brady	City Manager	Mr. Brady	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Ms. Mary Rose	Wesley, AICP	Planning Director	Mr. Wesley	City of Mesa	P.O. Box 1466	Mesa AZ 85211
Mr. Max Andrew	Lewis	Mayor	Mayor Lewis	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. Don Stapley	Abbott	Councilmember	Councilmember Abbott	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. David Fulton	Crozier	Councilmember	Councilmember Crozier	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. Darren Pete	Daniels	Councilmember	Councilmember Daniels	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. Bryan David	Presmyk	Councilmember	Councilmember Presmyk	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. Terry Jerry	Sentz	Councilmember	Councilmember Sentz	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. Manny Larry	Urie	Councilmember	Councilmember Urie	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
Mr. John	Dewitt	Acting Town Manager	Mr. Dewitt	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
	Mieras, AICP	Manager, Planning & Development	Mr. Mieras	Town of Gilbert	50 East Civic Center Drive	Gilbert AZ 85296
	Wilcox	District 5 Supervisor	Supervisor Wilcox	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Wilson	District 4 Supervisor	Supervisor Wilson	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Kunasek	District 3 Supervisor	Supervisor Kunasek	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Stapley	District 2 Supervisor	Supervisor Stapley	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Brock	District 1 Supervisor	Supervisor Brock	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Smith	County Manager	Mr. Smith	Maricopa County	301 W. Jefferson, 10th Floor	Phoenix AZ 85003
	Gerard	Deputy Director, Planning Services	Mr. Gerard	Maricopa County	501 N. 44th Street, Suite 200	Phoenix AZ 85008
	Rios	District 1 Supervisor	Supervisor Rios	Pinal County	P.O. Box 827	Florence AZ 85132
	Martyn	District 2 Supervisor	Supervisor Martyn	Pinal County	P.O. Box 827	Florence AZ 85132
	Snider	District 3 Supervisor	Supervisor Snider	Pinal County	P.O. Box 827	Florence AZ 85132
	Doolittle	County Manager	Mr. Doolittle	Pinal County	P.O. Box 827	Florence AZ 85132
	Stabley	Director, Planning & Development	Mr. Stabley	Pinal County	P.O. Box 2973	Florence AZ 85132
	Gonzalez	Assistant County Manager	Mr. Gonzalez	Pinal County	P.O. Box 827	Florence AZ 85132
	Voyles	Director	Mr. Voyles	AZ Game and Fish Department	5000 W. Carefree Highway	Phoenix AZ 85086-5000
	Halikowski	Director	Mr. Halikowski	AZ Department of Transportation	206 S. 17th Avenue, MD 100A	Phoenix AZ 85007

