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BEFORE THE ARIZONA CORPORATION COMMISSION

GARY PIERCE
Chairman
BOB STUMP
Commissioner
SANDRA D. KENNEDY
Commissioner
PAUL NEWMAN
Commissioner
BRENDA BURNS
Commissioner

Arizona Corporation Commission

DOCKETED

DEC - 9 2011

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IN THE MATTER OF THE APPLICATION)
 OF SONORAN SOLAR ENERGY, LLC, IN)
 CONFORMANCE WITH THE)
 REQUIREMENTS OF ARIZONA REVISED)
 STATUTES, SECTIONS 40-360, et seq., FOR)
 A CERTIFICATE OF ENVIRONMENTAL)
 COMPATIBILITY AUTHORIZING)
 CONSTRUCTION OF A 500KV GEN-TIE)
 LINE AND SWITCHYARD ORIGINATING)
 AT THE PROPOSED SONORAN SOLAR)
 ENERGY PROJECT SWITCHYARD AND)
 TERMINATING AT THE JOJOBA)
 SUBSTATION LOCATED IN MARICOPA)
 COUNTY, ARIZONA.)

CASE NO. 162
Docket No. L-00000UU-11-0337-00162
DECISION NO. 72720

Open Meeting
December 1, 2011
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360, *et seq*, after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby approved as modified by this Order.

The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state, and finds that the CEC for the above-captioned application for siting approval is in the public interest as modified by this Order.

1 The Commission modifies the CEC issued by the Committee by inserting a new Condition
2 No. 20 as follows:

3 20. Before commencing construction of Project facilities located parallel to and
4 within 100 feet of any existing natural gas or hazardous liquid pipeline, the
5 Applicant or its assignees shall:

6 (a) Perform the appropriate grounding and cathodic protection
7 studies to show that the Project's location parallel to and
8 within 100 feet of such a pipeline results in no material
9 adverse impacts to the pipeline or to public safety when both
10 the pipeline and the Project are in operation. If material
11 adverse impacts are noted in the studies, Applicant shall take
12 appropriate steps to ensure that such material adverse impacts
13 are mitigated. Applicant shall provide to Commission Staff
14 and Docket Control reports of studies performed; and

15 (b) Perform a technical study simulating an outage of the Project
16 that may be caused by the collocation of the Project parallel
17 to and within 100 feet of the existing natural gas or
18 hazardous liquid pipeline. This study should either: i) show
19 that such outage does not result in customer outages; or ii)
20 include operating plans to minimize any resulting customer
21 outages. Applicant shall provide a copy of this study to
22 Commission Staff and Docket Control.

23
24 The Commission further finds and concludes that in balancing the broad public interest in
25 this matter:

26 1. The Project is in the public interest because it aids the state in meeting the need for an
27 adequate, economical and reliable supply of electric power.

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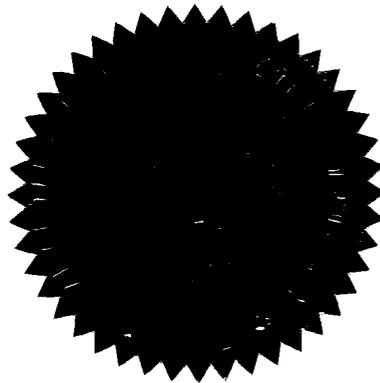
2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the CEC as modified by the Commission effectively minimize its impact on the environment and ecology of the state.

3. The conditions placed on the CEC as modified by the Commission 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 CEC as modified by the Commission.

**THE CEC ISSUED BY THE SITING COMMITTEE IS
INCORPORATED HEREIN AND IS APPROVED AS MODIFIED BY ORDER OF THE
ARIZONA CORPORATION COMMISSION**

CHAIRMAN	COMMISSIONER	COMMISSIONER
EXCUSED COMM. NEWMAN		
COMMISSIONER		COMMISSIONER



IN WITNESS WHEREOF, I ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 9th day of December, 2011.

ERNEST G. JOHNSON
Executive Director

DISSENT: _____

DISSENT: _____

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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 SONORAN SOLAR ENERGY, LLC, IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES, SECTIONS 40-360, et seq.,
FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF A
500KV GEN-TIE LINE AND SWITCHYARD
ORIGINATING AT THE PROPOSED
SONORAN SOLAR ENERGY PROJECT
SWITCHYARD AND TERMINATING AT
THE JOJOBA SUBSTATION LOCATED IN
MARICOPA COUNTY, ARIZONA.

Docket No. L-00000UU-11-0337-00162

Case No. 162

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CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to notice given as provided by law, the Arizona Power Plant and
Transmission Line Siting Committee (the "Committee") held a public hearing on
October 25, 2011 in Goodyear, Arizona, all 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 Sonoran Solar Energy, 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 for the
deliberations:

John Foreman

Chairman, Designee for Arizona
Attorney General, Thomas C. Horne

Bret Parke

Designee for Director, Arizona
Department of Environmental Quality

Michael J. Lacey

Designee for Director, Department of
Water Resources

1	David Eberhart	Designee for Chairman, Arizona Corporation Commission
2	Jack Haenichen	Designee for Director, Arizona Governor's Office of Energy Policy
3		
4	Jeff McGuire	Appointed Member
5	Patricia Noland	Appointed Member
6	Michael Palmer	Appointed Member
7	Paul Walker	Appointed Member
8	David Richins	Appointed Member

9 The Applicant was represented by Kenneth C. Sundlof, Jr. of the law firm of
10 Jennings, Strouss & Salmon, P.L.C.

11 At the conclusion of the hearings, the Committee, having received the
12 Application, the appearances of the parties, the evidence, testimony and exhibits
13 presented at the hearings, and being advised of the legal requirements of A.R.S. §§
14 40-360 to 40-360.13, upon motion duly made and seconded, voted 10-0 to grant the
15 Applicant this Certificate of Environmental Compatibility (Case No. 162) for the
16 Project as set forth in the Application.

17 The Project consists of approximately 3.2 miles of single-circuit (bundled
18 conductor) 500kV transmission line and a generation project switchyard (depicted on
19 Exhibit A attached hereto, referred to as "The Project"). The Project Route will begin
20 at the Sonoran Solar Energy Project's switchyard, located in Section 21, Township 2
21 South, Range 3 West, and terminate at the existing Jojoba 500kV Substation, located
22 in Section 25, Township 2 South, Range 4 West. The route will travel 0.9 mile to the
23 west from the proposed Sonoran Solar Energy Project's switchyard, and then turn to
24 the southwest traveling 1 mile, where it will then turn west 1.3 miles to connect to
25 the Jojoba 500kV Substation.

26 The 500kV gen-tie line will be constructed using H-frame and 3-pole turning
27 structures approximately 90-120 feet tall, spaced at approximately 1,200 foot

1 intervals. The three-phase, single circuit (bundled conductor) line will consist of
2 approximately 18 to 22 structures, including tangent, angle, dead-end, and pull-off
3 structures. The H-frame structures will have a dulled gray or self-weathering finish
4 and conductors will have a low-reflective (non-specular), dulled finish to reduce
5 visibility.

6 The Project switchyard will be an approximately 3-acre area on the western
7 side of the Sonoran Solar Energy Project site. The switchyard will consist of several
8 medium voltage breakers and switches, for collecting the power from the solar
9 panels and inverters, a main step-up transformer and 500kV breakers and switches
10 for protection. Redundant line protection relays and associated metering and
11 protection equipment will be provided.

12 The power from the combined solar arrays will be transformed from the
13 medium collection voltage (34.5kV) to the 500kV transmission line voltage. The
14 switchyard will operate at 34.5kV and 500kV and the transmission line will operate at
15 500kV.

16 The Project will interconnect to the existing Jojoba 500kV Substation and will
17 require the addition and modification of equipment inside the substation fence.

18 To allow for flexibility during construction and coordination with other
19 transmission owners the Applicant is granted an approved corridor of 500 feet on
20 either side of the center line and substation site depicted in Exhibit A.

21 This approval shall not limit the ability of the Applicant to make reasonable
22 improvements, replacements, additions or modifications as needed to operate the
23 system in a safe, reliable and efficient manner.

24 This Certificate is granted upon the following conditions:

25 1. The Applicant shall obtain all approvals and permits required by the
26 United States, including the State of Arizona, the County of Maricopa, the Town of
27

1 Buckeye and any other governmental entities having jurisdiction necessary to
2 construct the Project.

3 2. During the construction and operation of the Project, the Applicant shall
4 comply with all applicable statutes, ordinances, master plans and regulations of the
5 United States, the State of Arizona, the County of Maricopa, and the Town of
6 Buckeye and their agencies or subdivisions, including, but not limited to the
7 following:

8 (a) All applicable land use regulations;

9 (b) All applicable zoning stipulations and conditions, including but not
10 limited to landscaping and dust control requirements;

11 (c) All applicable water use, discharge and/or disposal requirements of
12 the Arizona Department of Water Resources and the Arizona
13 Department of Environmental Quality;

14 (d) All applicable noise control standards; and

15 (e) All applicable regulations governing storage and handling of
16 hazardous chemicals and petroleum products.

17 3. If any archaeological, paleontological or historical site or object that is at
18 least fifty years old is discovered on state, county or municipal land during plan-
19 related activities as defined in Condition No. 13, the Applicant or its representative in
20 charge shall promptly report the discovery to the Director of the Arizona State
21 Museum, and in consultation with the Director, shall immediately take all reasonable
22 steps to secure and maintain the preservation of the discovery. A.R.S. § 41-844.

23 4. If human remains and/or funerary objects are encountered on private
24 land during the course of any ground-disturbing activities relating to the
25 development of the transmission line and substation, the Applicant shall cease work
26 on the affected area of the Project and notify the Director of the Arizona State
27 Museum. A.R.S. § 41-865.

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

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

14 7. This authorization to construct this Project shall expire ten (10) years
15 from the date the Certificate is approved by the Commission unless the transmission
16 line and substation is capable of operation. However, prior to expiration, the
17 Applicant or its assignees may request that the Commission extend this time
18 limitation.

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

25 9. The Applicant shall make every reasonable effort to identify and correct,
26 on a case-specific basis, all complaints of interference with radio, television, or
27 aviation navigational and communication signals from operation of the transmission

1 lines and related facilities addressed in this Certificate. The Applicant shall maintain
2 written records for a period of five years of all complaints of radio or television
3 interference attributable to operation, together with the corrective action taken in
4 response to each complaint. All complaints shall be recorded to include notations on
5 the corrective action taken. Complaints not leading to a specific action or for which
6 there was no resolution shall be noted and explained.

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

- 16 (a) That the site has been approved for the construction of Project
17 facilities;
- 18 (b) The expected date of completion of the Project facilities;
- 19 (c) A phone number for public information regarding the Project;
- 20 (d) The name of the Project;
- 21 (e) The name of the Applicant; and
- 22 (f) The website of the Project.

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

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

27

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

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

18 15. The Applicant shall provide copies of this Certificate to appropriate city,
19 town and county planning agencies, mayors and town councils, Maricopa County
20 Board of Supervisors, Town of Buckeye, City of Goodyear, the Arizona State Land
21 Department, Arizona Department of Transportation, the State Historic Preservation
22 Office, and the Arizona Game and Fish Department.

23 16. Prior to the date construction commences on this Project, the Applicant
24 shall provide known homebuilders and developers within one mile of the center line
25 of the Certificated route and substation; with the identity, location, and a pictorial
26 depiction of the type of power line and substation being constructed, accompanied by
27 a written description, and encourage the developers and homebuilders to include this

1 information in the developers' and homebuilders' homeowners' disclosure
2 statements.

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

7 18. The Applicant shall submit a self-certification letter annually, identifying
8 progress made with respect to each condition contained in the Certificate, including
9 which conditions have been met. Each letter shall be submitted to the Docket
10 Control of the Arizona Corporation Commission on December 1 beginning in 2013.
11 Attached to each certification letter shall be documentation explaining how
12 compliance with each condition was achieved. Copies of each letter along with the
13 corresponding documentation shall be submitted to the Arizona Attorney General and
14 Arizona Governor's Office of Energy Policy. The requirement for the self-certification
15 shall expire on the date the Project is placed into operation.

16 19. The Applicant shall make good faith efforts to commence discussions
17 with appropriate trade and construction organizations on agreements to encourage
18 the utilization of qualified local or Arizona construction workers, contractors, and
19 suppliers for the construction of the Project, consistent with applicable laws regarding
20 the use of qualified Arizona legal resident contractors, laborers, and suppliers of
21 goods and services. In addition, Applicant shall file, as part of its annual compliance
22 certification requirements, (A) a report listing the total number of persons who were
23 hired during the previous calendar year for construction jobs at the Project and the
24 total number of persons who identified themselves, upon hiring, as legal residents of
25 Arizona; and (B) a report listing the names of businesses in Arizona with whom
26 Applicant has executed during the previous calendar year, substantial contracts to
27 provide goods and services during construction of the Project, together with the total

1 dollar payments in the aggregate for Arizona businesses and the total dollar
2 payments in the aggregate for non-Arizona businesses, to be paid by Applicant.

3 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

6 1. The Project is in the public interest because it aids the state in meeting
7 the need for an adequate, economical and reliable supply of electric power and
8 renewable energy.

9 2. In balancing the need for the Project with its effect on the environment
10 and ecology of the state, the conditions placed on the CEC by the Committee
11 effectively minimize its impact on the environment and ecology of the state.

12 3. The conditions placed on the CEC by the Committee resolve matters
13 concerning the need for the Project and its impact on the environment and ecology of
14 the state raised during the course of proceedings, and as such, serves as the findings
15 on the matters raised.

16 4. In light of these conditions, the balancing in the broad public interest
17 results in favor of granting the CEC.

18 DATED this 26th day of October, 2011.

19 **THE ARIZONA POWER PLANT AND**
20 **TRANSMISSION LINE SITING**
21 **COMMITTEE**

22
23 By John Foreman
24 John Foreman, Chairman
25
26
27

EXHIBIT A

Sonoran Solar Energy 500kV Generation Tie Line Project Project Route and Switchyard

Legend

Project Components

-  Project Route
-  Project Switchyard

Ownership/Designation

-  BLM
-  State
-  Private/Other
-  Designated BLM Utility Corridor

General Reference Features

-  Jojoba Substation
-  500kV Transmission Line
-  230kV Transmission Line
-  69kV Transmission Line
-  Pipeline
-  Highway
-  Local Roads
-  Hassayampa to Pinal West #2
-  500kV Certified Line
-  National Monument
-  Recreation Area
-  Section Boundary
-  Township Boundary
-  Wash

Source: Sitrans, USA 2008; Phelps 2008; EPC 2011; Sonoran Solar Energy, LLC 2011; Arizona Bureau of Land Management 2005; U.S. Geological Survey EROS Data Center, Sioux Falls, SD 2010
Base Data:
 Hillshade derived from National Elevation 1/3 arc second dataset. Contours interpolated from National Elevation 1/3 arc second dataset at an interval of 100 feet.



Sonoran Solar Energy, LLC



October 2011

