

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY,
PURSUANT TO ARIZONA REVISED STATUTE §
40-252, FOR AN AMENDMENT OF ARIZONA
CORPORATION COMMISSION DECISION NO.
65997.

DOCKET NO. L-00000D-02-0120-0000

PROCEDURAL ORDER

BY THE COMMISSION:

On June 18, 2003, the Arizona Corporation Commission (“Commission”) issued Decision No. 65997, approving a Certificate of Environmental Compatibility (“CEC”) for Arizona Public Service Company’s (“APS” or “Company”) North Valley 230kV Facility Siting Project (“CEC 120”). The CEC issued in Decision No. 65997 authorized APS to build a double-circuit 230 kV transmission line between the Westwing, Raceway and Pinnacle Peak substations and two new 230 kV substations – Scatter Wash (formerly Misty Willow) and Avery.

On February 20, 2007, in Decision No. 69343, the Commission authorized a new CEC approving a 500/230kV transmission line between the Morgan and Pinnacle Peak substations (“CEC 131”), which followed nearly the same path as the line for the double-circuit 230kV line approved in Decision No. 65997. Decision No. 69343 ordered APS to file an application to amend CEC 120, in order to make it consistent with CEC 131. The Company filed that application on March 21, 2007, but the application has not been acted upon.

On October 19, 2012, the Company filed a Request for Extension of CEC Term and Application to Amend Arizona Corporation Commission Decision No. 65997 Re CEC 120 (“Application”). The Company states that the Application is intended to supersede its March 21, 2007 filing.

On November 8, 2012, at an Open Meeting, the Commission voted to reopen Decision No.

1 65997 pursuant to A.R.S. § 40-252.

2 On November 21, 2012, the Commission's Utilities Division ("Staff") issued a Staff Report
3 and a Proposed Order Modifying Decision No. 65997.

4 On December 5, 2012, the Company filed Supplemental Information and Comments to Staff's
5 Proposed Order Modifying Decision No. 65997.

6 On December 31, 2012, the Company filed a Request for Procedural Order to commence an
7 evidentiary hearing on the Application. The Company requests expedited action because the initial
8 term of CEC 120 expires on June 18, 2013. The Company requests that a procedural conference be
9 scheduled to establish procedures for moving forward with an evidentiary hearing. The Company's
10 December 31, 2012 filing sets forth three specific issues on which it believes evidence should be
11 taken in the evidentiary hearing.

12 A procedural conference should be scheduled to allow all parties an opportunity to provide
13 input on procedural matters associated with the evidentiary hearing on the Application. The parties
14 should be prepared to discuss issues related to notice and timing of the evidentiary hearing on the
15 Application. The parties are encouraged to meet and discuss issues related to public notice of the
16 Application prior to the procedural conference. The parties should also be prepared to raise any
17 issues if there are any related to the scope of the evidentiary hearing on the Application.

18 IT IS THEREFORE ORDERED that a procedural conference in the above-captioned matter
19 shall commence on **January 11, 2013 at 1:30 p.m.**, or as soon thereafter as is practical, at the
20 Commission's offices, 1200 W. Washington Street, Hearing Room No. 2, Phoenix, Arizona, for the
21 purpose of allowing the parties an opportunity to discuss issues related to notice and timing of the
22 evidentiary hearing on the Application, and to discuss the scope of the evidentiary hearing on the
23 Application.

24 IT IS FURTHER ORDERED that the parties shall raise, before or at the scheduled procedural
25 conference, any issues they may have related to the scope of the evidentiary hearing on the
26 Application.

27 IT IS FURTHER ORDERED that the parties are encouraged to meet and discuss issues related
28

1 to the public notice of the Application prior to the procedural conference.

2 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
3 31 and 38 and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

4 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
5 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
6 hearing.

7 DATED this 3^d day of January, 2013.

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9
10 
11 TEENA JIBILIAN
ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered
13 This 3^d day of January, 2013 to:

14 John Forman, Chairman ✓
15 AZ Power Plant and Transmission
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