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OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

ORIGINAL

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL
2014 JUL 1 PM 3 50

IN THE MATTER OF THE APPLICATION OF
SUN STREAMS, LLC IN CONFORMANCE WITH
THE REQUIREMENTS OF ARIZONA REVISED
STATUTES 40-360.03 AND 40-360.06, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF THE SUN STREAMS GEN-
TIE PROJECT, A 34.5 / 500KV SUBSTATION
AND 0.3-MILE 500KV GEN-TIE LINE
INTERCONNECTING A PHOTOVOLTAIC (PV)
SOLAR GENERATING FACILITY TO
ADJACENT HASSAYAMPA SWITCHYARD IN
MARICOPA COUNTY APPROXIMATELY 5
MILES SOUTHEAST OF WINTERSBURG,
APPROXIMATELY 11 MILES SOUTHEAST OF
TONOPAH, APPROXIMATELY 5 MILES WEST
NORTHWEST OF ARLINGTON, AND
APPROXIMATELY 14 MILES WEST OF
BUCKEYE, ARIZONA.

CASE NO. 168

Docket No. L-00000XX-14-0120-00168

**NOTICE OF FILING SAMPLE FORMS
OF ORDER FOR CASE NO. 168**

Arizona Corporation Commission
DOCKETED
JUL 1 2014

DOCKETED BY

The Arizona Corporation Commission's ("Commission") Legal Division hereby provides notice of filing sample forms of order for the Commission's convenience when considering the above-captioned matter. Sample Order No. 1 is in a format suitable for Commission approval of the Siting Committee's Certificate of Environmental Compatibility ("CEC") decision. Sample Order No. 2 is in a format suitable for Commission modifications to the Siting Committee's CEC decision. Sample Order No. 3 is in a format suitable for denial of the Siting Committee's CEC decision.

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RESPECTFULLY SUBMITTED this 1st day of July, 2014.



Charles H. Hains
Attorney
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

**Original and twenty-eight (28)
copies of the foregoing filed this
1st day of July, 2014 with:**

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

**Copies of the foregoing mailed
this 1st day of July, 2014 to:**

John Foreman
Arizona Power Plant & Line Siting Committee Chair
Office of the Attorney General
1275 W. Washington Street
Phoenix, Arizona 85007

Jay Moyes
Moyes Sellers & Hendricks
1850 N. Central Ave., Suite 1100
Phoenix, AZ 85004

Max Bakker
Beth Deane
First Solar
135 Main Street - 6th Floor
San Francisco, CA 94105

Coash & Coash
Arizona Reporting Service
1802 North 7th Street
Phoenix, AZ 85006

By Roseann Osorio

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2
3 **COMMISSIONERS**

4 BOB STUMP - Chairman
5 GARY PIERCE
6 BRENDA BURNS
7 BOB BURNS
8 SUSAN BITTER SMITH

9 IN THE MATTER OF THE APPLICATION
10 OF SUN STREAMS, LLC IN
11 CONFORMANCE WITH THE
12 REQUIREMENTS OF ARIZONA REVISED
13 STATUTES 40-360.03 AND 40-360.06, FOR
14 A CERTIFICATE OF ENVIRONMENTAL
15 COMPATIBILITY AUTHORIZING
16 CONSTRUCTION OF THE SUN STREAMS
17 GEN-TIE PROJECT, A 34.5 / 500KV
SUBSTATION AND 0.3-MILE 500KV GEN-
TIE LINE INTERCONNECTING A
PHOTOVOLTAIC (PV) SOLAR
GENERATING FACILITY TO ADJACENT
HASSAYAMPA SWITCHYARD IN
MARICOPA COUNTY APPROXIMATELY 5
MILES SOUTHEAST OF WINTERSBURG,
APPROXIMATELY 11 MILES SOUTHEAST
OF TONOPAH, APPROXIMATELY 5 MILES
WEST NORTHWEST OF ARLINGTON, AND
APPROXIMATELY 14 MILES WEST OF
BUCKEYE, ARIZONA.

CASE NO. 168

Docket No. L-00000XX-14-0120-00168

DECISION NO. _____

SAMPLE ORDER NO. 1

(Sample Form of Order for the Convenience of the Commission to Use if the Commission Determines it is in the Public Interest to Grant the Project a CEC as Issued by the Siting Committee's Decision.)

18 Open Meeting
19 Phoenix, Arizona

20 **BY THE COMMISSION:**

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

25 The Commission, in reaching its decision, has balanced all relevant matters in the broad
26 public interest, including the need for an adequate, economical and reliable supply of electric power
27 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
28 that granting the Project a CEC is in the public interest.

1 The Commission further finds and concludes that in balancing the broad public interest in this
2 matter:

- 3 1. The Project is in the public interest because it aids the state in meeting the need for an
4 adequate, economical, and reliable supply of electric power.
- 5 2. In balancing the need for the Project with its effect on the environment and ecology of
6 the state, the conditions placed on the CEC effectively minimize its impact on the
7 environment and ecology of the state.
- 8 3. The conditions placed on the CEC resolve matters concerning the need for the Project
9 and its impact on the environment and ecology of the state raised during the course of
10 proceedings, and as such, serve as the findings on the matters raised.
- 11 4. In light of these conditions, the balancing in the broad public interest results in favor
12 of granting the CEC.

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1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE
3 ARIZONA CORPORATION COMMISSION
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6 CHAIRMAN

COMMISSIONER

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8 COMMISSIONER

COMMISSIONER

COMMISSIONER

9
10 IN WITNESS WHEREOF, I, JODI JERICH, Executive
11 Director of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of Phoenix,
14 this _____ day of _____, 2014.

15 _____
16 JODI JERICH
17 EXECUTIVE DIRECTOR

18 DISSENT: _____

19 DISSENT: _____
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1 SERVICE LIST FOR:
2 DOCKET NO. L-00000XX-14-0120-00168

3 John Foreman, Chairman
4 Arizona Power Plant and Transmission
5 Line Sitting Committee
6 Office of Attorney General
7 1275 West Washington Street
8 Phoenix, Arizona 85007

9 Jay Moyes
10 Moyes Sellers & Hendricks
11 1850 N. Central Ave., Suite 1100
12 Phoenix, AZ 85004

13 Max Bakker
14 Beth Deane
15 First Solar
16 135 Main Street - 6th Floor
17 San Francisco, CA 94105

18 Coash & Coash
19 Arizona Reporting Service
20 1802 North 7th Street
21 Phoenix, AZ 85006

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3 **BEFORE THE ARIZONA CORPORATION COMMISSION**

4 **COMMISSIONERS**

5 BOB STUMP - Chairman
6 GARY PIERCE
7 BRENDA BURNS
8 BOB BURNS
9 SUSAN BITTER SMITH

10 IN THE MATTER OF THE APPLICATION
11 OF SUN STREAMS, LLC IN
12 CONFORMANCE WITH THE
13 REQUIREMENTS OF ARIZONA REVISED
14 STATUTES 40-360.03 AND 40-360.06, FOR
15 A CERTIFICATE OF ENVIRONMENTAL
16 COMPATIBILITY AUTHORIZING
17 CONSTRUCTION OF THE SUN STREAMS
18 GEN-TIE PROJECT, A 34.5 / 500KV
19 SUBSTATION AND 0.3-MILE 500KV GEN-
20 TIE LINE INTERCONNECTING A
21 PHOTOVOLTAIC (PV) SOLAR
22 GENERATING FACILITY TO ADJACENT
23 HASSAYAMPA SWITCHYARD IN
24 MARICOPA COUNTY APPROXIMATELY 5
25 MILES SOUTHEAST OF WINTERSBURG,
26 APPROXIMATELY 11 MILES SOUTHEAST
27 OF TONOPAH, APPROXIMATELY 5 MILES
28 WEST NORTHWEST OF ARLINGTON, AND
APPROXIMATELY 14 MILES WEST OF
BUCKEYE, ARIZONA.

Docket No. L-00000XX-14-0120-00168

Case No. 168

DECISION NO. _____

SAMPLE ORDER NO. 2

(Sample Form of Order for the Convenience of the Commission to Use if the Commission Determines it is in the Public Interest to Grant the Project a CEC but also Determines that the Public Interest Requires that the Commission Modify the CEC as Issued by the Siting Committee's Decision.)

18 **Open Meeting**
19 **Phoenix, Arizona**

20 **BY THE COMMISSION:**

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

25 The Commission, in reaching its decision, has balanced all relevant matters in the broad
26 public interest, including the need for an adequate, economical and reliable supply of electric power
27 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
28

1 that the CEC for the above-captioned application for siting approval is in the public interest as
2 modified by this Order.

3 The Commission modifies the CEC to (add) (modify) (delete) the following provisions and/or
4 condition(s):

5 *(For example, modifications to the Siting Committee's CEC could include amending the*
6 *Committee's determinations, adding new conditions, changing conditions' language and/or*
7 *deleting the conditions.)*

8
9 The Commission further finds and concludes that in balancing the broad public interest in this
10 matter:

- 11 1. The Project is in the public interest because it aids the state in meeting the need for an
12 adequate, economical and reliable supply of electric power.
- 13 2. In balancing the need for the Project with its effect on the environment and ecology of
14 the state, the conditions placed on the CEC as modified by the Commission effectively
15 minimize its impact on the environment and ecology of the state.
- 16 3. The conditions placed on the CEC as modified by the Commission resolve matters
17 concerning the need for the Project and its impact on the environment and ecology of
18 the state raised during the course of proceedings, and as such, serve as the findings on
19 the matters raised.
- 20 4. In light of these conditions, the balancing in the broad public interest results in favor
21 of granting the CEC as modified by the Commission.

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**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	COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, 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 _____ day of _____, 2014.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR:
2 DOCKET NO. L-00000XX-14-0120-00168

3 John Foreman, Chairman
4 Arizona Power Plant and Transmission
5 Line Sitting Committee
6 Office of Attorney General
7 1275 West Washington Street
8 Phoenix, Arizona 85007

9 Jay Moyes
10 Moyes Sellers & Hendricks
11 1850 N. Central Ave., Suite 1100
12 Phoenix, AZ 85004

13 Max Bakker
14 Beth Deane
15 First Solar
16 135 Main Street - 6th Floor
17 San Francisco, CA 94105

18 Coash & Coash
19 Arizona Reporting Service
20 1802 North 7th Street
21 Phoenix, AZ 85006

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

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3 **COMMISSIONERS**

4 BOB STUMP - Chairman
5 GARY PIERCE
6 BRENDA BURNS
7 BOB BURNS
8 SUSAN BITTER SMITH

9 IN THE MATTER OF THE APPLICATION
10 OF SUN STREAMS, LLC IN
11 CONFORMANCE WITH THE
12 REQUIREMENTS OF ARIZONA REVISED
13 STATUTES 40-360.03 AND 40-360.06, FOR
14 A CERTIFICATE OF ENVIRONMENTAL
15 COMPATIBILITY AUTHORIZING
16 CONSTRUCTION OF THE SUN STREAMS
17 GEN-TIE PROJECT, A 34.5 / 500KV
SUBSTATION AND 0.3-MILE 500KV GEN-
TIE LINE INTERCONNECTING A
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GENERATING FACILITY TO ADJACENT
HASSAYAMPA SWITCHYARD IN
MARICOPA COUNTY APPROXIMATELY 5
MILES SOUTHEAST OF WINTERSBURG,
APPROXIMATELY 11 MILES SOUTHEAST
OF TONOPAH, APPROXIMATELY 5 MILES
WEST NORTHWEST OF ARLINGTON, AND
APPROXIMATELY 14 MILES WEST OF
BUCKEYE, ARIZONA.

CASE NO. 168

Docket No. L-00000XX-14-0120-00168

DECISION NO. _____

SAMPLE ORDER NO. 3

(Sample Form of Order for the Convenience of the Commission to Use if the Commission Determines it is in the Public Interest to Deny the Project the CEC Issued by the Siting Committee's Decision.)

18 Open Meeting
19 Phoenix, Arizona

20 **BY THE COMMISSION:**

21 Pursuant to A.R.S. § 40-360, *et seq*, after due consideration of all relevant matters, the
22 Arizona Corporation Commission ("Commission") finds and concludes that the above-captioned
23 Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is not in the
24 public interest and therefore the CEC issued by the Arizona Power Plant and Transmission Line
25 Siting Committee ("Siting Committee") is hereby denied by this Order.

26 The Commission, in reaching its decision, has balanced all relevant matters in the broad
27 public interest, including the need for an adequate, economical and reliable supply of electric power
28

1 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
2 that granting the Project a CEC is not in the public interest.

3 The Commission finds and concludes that in balancing the broad public interest in this matter:

- 4 1. The evidence in the record is not sufficient to weigh the balancing of the public
5 interest in favor of granting a CEC in this matter when all the factors set forth in
6 A.R.S. § 40-360.06 are considered along with need for an adequate economical, and
7 reliable supply of electric power.
- 8 2. The conditions placed upon the CEC are not sufficient to weigh the balancing of the
9 public interest in favor of granting a CEC in this matter when all the factors set forth in
10 A.R.S. § 40-360.06 are considered along with the need for an adequate, economical,
11 and reliable supply of electric power.
- 12 3. The record compels balancing the competing public interests in favor of protection of
13 the environment and ecology of the State of Arizona by denying Applicant a
14 Certificate of Environmental Compatibility.
- 15 4. The CEC issued by the Siting Committee should not be confirmed and approved by
16 the Commission.
- 17 5. The Commission's findings 1 through 4 above serve as the Commission's findings of
18 fact and conclusions of law in reaching its decision.

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20 Therefore, the Commission further finds and concludes that the CEC issued by the Siting
21 Committee is hereby denied by this Order; and, the above-captioned Application for a CEC is hereby
22 denied by this Order.

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

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, 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 _____ day of _____, 2014.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR:
2 DOCKET NO. L-00000XX-14-0120-00168

3 John Foreman, Chairman
4 Arizona Power Plant and Transmission
5 Line Sitting Committee
6 Office of Attorney General
7 1275 West Washington Street
8 Phoenix, Arizona 85007

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