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ARIZONA CORP COMMISSION  
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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

10 BOB STUMP, CHAIRMAN  
11 GARY PIERCE  
12 BRENDA BURNS  
13 SUSAN BITTER SMITH  
14 BOB BURNS

Arizona Corporation Commission

DOCKETED

JUL 2 2014

DOCKETED BY 

15 In the matter of the Application of Sun Streams, LLC,  
16 in conformance with the requirements of Arizona  
17 Revised Statutes 40-360.03 and 40-360.06, for a  
18 Certificate of Environmental Compatibility  
19 authorizing construction of the Sun Streams Gen-tie  
20 Project, a 34.5/500kV substation and 0.3-mile 500 kV  
21 gen-tie line interconnecting a photovoltaic (PV) solar  
22 generating facility to the adjacent Hassayampa  
23 Switchyard in Maricopa County approximately 5  
24 miles southeast of Wintersburg, approximately 11  
25 miles southeast of Tonopah, approximately 5 miles  
26 west-northwest of Arlington, and approximately 14  
27 miles west of Buckeye, Arizona.

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

Case No. 168

APPLICANT'S WAIVER OF  
SIXTY-DAY TIME LIMIT FOR  
COMMISSION APPROVAL OF  
CERTIFICATE OF  
ENVIRONMENTAL  
COMPATIBILITY

22 On May 13, 2014 the Chairman of the Arizona Power Plant and Transmission Line Siting  
23 Committee ("Committee") filed in this docket a signed Certificate of Environmental  
24 Compatibility ("CEC") issued to Sun Streams, LLC, ("Applicant") for the Sun Streams Gen-tie  
25 Project ("Project"). The CEC is now before the Arizona Corporation Commission  
26 ("Commission") for consideration and approval.

1 Under Arizona Revised Statutes § 40-360.07(A), the Applicant is not authorized to  
2 construct the Project until the CEC is “affirmed and approved by an order of the commission  
3 which shall be issued *not less than thirty days nor more than sixty days* after the certificate is  
4 issued by the committee.” [italics added]

5 The timing of the CEC issuance in this case has presented a scheduling dilemma for the  
6 Commission. The Commission could not consider approval of the CEC at its Regular Open  
7 Meeting on June 10-11, 2014 because the prescribed thirty-day minimum waiting period had not  
8 expired. The Commission’s next scheduled Open Meeting is set to commence on July 22, 2014,  
9 which is after expiration of the prescribed sixty-day maximum period. Commissioners’ schedules  
10 during July make it very difficult to convene a special open meeting for consideration of the CEC  
11 prior to expiration of the sixty-day period.

12 Applicant submits that the statutory sixty-day limit provision is intended as a due process  
13 protection for the benefit of utilities seeking timely authority to construct; and, therefore, the limit  
14 may be affirmatively waived by Applicant in this case. Accordingly, as an accommodation of the  
15 Commission’s scheduling exigencies, Applicant hereby agrees to an extension of the sixty-day  
16 period through July 22, 2014, and waives any and all claims based upon or arising from the fact  
17 that approval of the CEC by the Commission is ordered on July 22, 2014, more than sixty days  
18 after the CEC was issued by the Committee.

19 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of July, 2014.

20  
21 MOYES SELLERS & HENDRICKS LTD.

22 

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1 ORIGINAL and 25 copies  
2 Filed this 2nd day of July, 2014,  
3 with Docket Control.

4 Electronic copy sent on the 2nd  
5 day of July, 2014 to:

6 The Honorable John Foreman  
7 Arizona Power Plant and Transmission Line Siting Committee  
8 1275 W. Washington  
9 Phoenix, AZ 85007  
10 [John.foreman@azag.gov](mailto:John.foreman@azag.gov)

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