



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360 ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE OCOTILLO MODERNIZATION PROJECT, WHICH INCLUDES THE INSTALLATION OF FIVE 102 MW GAS TURBINES AND THE CONSTRUCTION OF TWO 230-KILOVOLT GENERATION INTERCONNECTIONS AND OTHER ANCILLARY FACILITIES, ALL LOCATED WITHIN THE BOUNDS OF THE EXISTING OCOTILLO POWER PLANT SITUATED ON PROPERTY OWNED BY ARIZONA PUBLIC SERVICE COMPANY AND LOCATED AT 1500 EAST UNIVERSITY DRIVE, TEMPE ARIZONA, IN MARICOPA COUNTY.

CASE NO. 169

Docket No. L-00000D-14-0292-00169

NOTICE OF FILING SAMPLE FORMS OF ORDER FOR CASE NO. 169

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ORIGINAL

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.

RESPECTFULLY SUBMITTED this 21st day of October, 2014.

Arizona Corporation Commission

DOCKETED

OCT 21 2014

DOCKETED BY 


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

1 **Original and twenty-eight (28)**
2 **copies of the foregoing filed this**
3 **21st day of October, 2014 with:**

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 **Copies of the foregoing mailed this**
9 **21st day of October, 2014 to:**

10 John Foreman
11 Arizona Power Plant & Line Siting Committee Chair
12 Office of the Attorney General
13 1275 W. Washington Street
14 Phoenix, Arizona 85007

15 Thomas H. Campbell
16 Lewis Roca Rothberger LLP
17 201 E. Washington St., Suite 1200
18 Phoenix, Arizona 85004

19 Melissa M. Krueger
20 Linda J. Benally
21 Pinnacle West Capital Corporation
22 Law Department
23 400 N. 5th St., MS 8695
24 Phoenix, Arizona 85004

25 Daniel Pozefsky
26 Residential Utility Consumer Office
27 1110 W. Washington St., Suite 220
28 Phoenix, Arizona 85007

Patrick J. Black
Fennemore Craig, P.C.
2394 E. Camelback Rd, Suite 600
Phoenix, Arizona 85016

Rebecca Turner
100 S. Ashley Drive, Suite 1400
Tampa, Florida 33602

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

26
27 *By Roseann Osorio*
28

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
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BOB BURNS
SUSAN BITTER SMITH

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360 ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE OCOTILLO MODERNIZATION PROJECT, WHICH INCLUDES THE INSTALLATION OF FIVE 102 MW GAS TURBINES AND THE CONSTRUCTION OF TWO 230-KILOVOLT GENERATION INTERCONNECTIONS AND OTHER ANCILLARY FACILITIES, ALL LOCATED WITHIN THE BOUNDS OF THE EXISTING OCOTILLO POWER PLANT SITUATED ON PROPERTY OWNED BY ARIZONA PUBLIC SERVICE COMPANY AND LOCATED AT 1500 EAST UNIVERSITY DRIVE, TEMPE ARIZONA, IN MARICOPA COUNTY.

CASE NO. 169

Docket No. L-00000D-14-0292-00169

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.)

Open Meeting
November 5, 2014
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 granted 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 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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**THE CEC ISSUED BY THE SITING COMMITTEE IS
INCORPORATED HEREIN AND IS APPROVED 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: ARIZONA PUBLIC SERVICE COMPANY
2 DOCKET NO. L-00000D-14-0292-00169

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 Thomas H. Campbell
10 Lewis Roca Rothberger LLP
11 201 E. Washington St., Suite 1200
12 Phoenix, Arizona 85004

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Tampa, Florida 33602

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

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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 ARIZONA PUBLIC SERVICE
11 COMPANY, IN CONFORMANCE WITH
12 THE REQUIREMENTS OF ARIZONA
13 REVISED STATUTES 40-360 ET SEQ., FOR
14 A CERTIFICATE OF ENVIRONMENTAL
15 COMPATIBILITY AUTHORIZING THE
16 OCOTILLO MODERNIZATION PROJECT,
17 WHICH INCLUDES THE INSTALLATION
18 OF FIVE 102 MW GAS TURBINES AND
19 THE CONSTRUCTION OF TWO 230-
20 KILOVOLT GENERATION
21 INTERCONNECTIONS AND OTHER
22 ANCILLARY FACILITIES, ALL LOCATED
23 WITHIN THE BOUNDS OF THE EXISTING
24 OCOTILLO POWER PLANT SITUATED ON
25 PROPERTY OWNED BY ARIZONA PUBLIC
26 SERVICE COMPANY AND LOCATED AT
27 1500 EAST UNIVERSITY DRIVE, TEMPE
28 ARIZONA, IN MARICOPA COUNTY.

Docket No. L-00000D-14-0292-00169

Case No. 169

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.)

Open Meeting
November 5, 2014
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

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 the following conditions:
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6 The Commission further finds and concludes that in balancing the broad public interest in this
7 matter:

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

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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: ARIZONA PUBLIC SERVICE COMPANY
2 DOCKET NO. L-00000D-14-0292-00169

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 Thomas H. Campbell
10 Lewis Roca Rothberger LLP
11 201 E. Washington St., Suite 1200
12 Phoenix, Arizona 85004

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Phoenix, AZ 85006

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION
OF ARIZONA PUBLIC SERVICE
COMPANY, IN CONFORMANCE WITH
THE REQUIREMENTS OF ARIZONA
REVISED STATUTES 40-360 ET SEQ., FOR
A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING THE
OCOTILLO MODERNIZATION PROJECT,
WHICH INCLUDES THE INSTALLATION
OF FIVE 102 MW GAS TURBINES AND
THE CONSTRUCTION OF TWO 230-
KILOVOLT GENERATION
INTERCONNECTIONS AND OTHER
ANCILLARY FACILITIES, ALL LOCATED
WITHIN THE BOUNDS OF THE EXISTING
OCOTILLO POWER PLANT SITUATED ON
PROPERTY OWNED BY ARIZONA PUBLIC
SERVICE COMPANY AND LOCATED AT
1500 EAST UNIVERSITY DRIVE, TEMPE
ARIZONA, IN MARICOPA COUNTY.

CASE NO. 169

Docket No. L-00000D-14-0292-00169

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.)*

Open Meeting
November 5, 2014
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 above-captioned Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is not in the public interest and therefore the CEC issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby denied 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

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.

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

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1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS DENIED BY ORDER OF THE
3 ARIZONA CORPORATION COMMISSION
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5
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: ARIZONA PUBLIC SERVICE COMPANY
2 DOCKET NO. L-00000D-14-0292-00169

3 John Foreman, Chairman
4 Arizona Power Plant and Transmission
5 Line Sitting Committee
6 Office of Attorney General
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