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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2014 DEC -9 P 12:36

AZ CORP COMMISSION
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ORIGINAL

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 TS-5 TO TS-9 500/230 kV TRANSMISSION LINE PROJECT, WHICH ORIGINATES AT THE FUTURE TS-5 SUBSTATION, LOCATED IN THE WEST HALF OF SECTION 29, TOWNSHIP 4 NORTH, RANGE 4 WEST AND TERMINATES AT THE FUTURE TS-9 SUBSTATION, LOCATED IN SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 EAST, IN MARICOPA COUNTY, ARIZONA.

DOCKET NO. L-00000D-08-0330-00138

CASE NO. 138

Arizona Corporation Commission

DOCKETED

DEC 09 2014

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PROCEDURAL ORDER
(Schedules a Procedural Conference)

BY THE COMMISSION:

On March 17, 2009, the Arizona Corporation Commission ("Commission") issued Decision No. 70850 in Line Siting Case No. 138, granting Arizona Public Service Company ("APS") a Certificate of Environmental Compatibility ("CEC") authorizing it to construct approximately 40 miles of 500/230 kV transmission line and ancillary facilities beginning at the TS-5/Sun Valley Substation, located in the west half of Section 29, Township 4 North, Range 4 West, and ending at the TS-9/Morgan Substation, located in Section 33, Township 6 North, Range 1 East. The CEC was granted subject to a number of conditions, among them requirements for APS to file its Application for any necessary rights-of-way across Arizona State Land Department ("ASLD") property within 12 months of the effective date of the CEC, to construct the 500 kV circuit within seven years, and to construct the 230 kV circuit within 10 years.

On April 14, 2010, the Commission issued Decision No. 71645, amending Decision No. 70850 to extend by 12 months the deadline for APS to file its Application for rights-of-way across ASLD property.

1 On July 17, 2014, APS filed an Application to Amend Arizona Corporation Commission
2 Decision No. 70850 Re CEC 138 and Request for Extension of CEC Term ("Application to Amend
3 CEC"). In its Application to Amend CEC, APS requested four modifications to the CEC itself as
4 well as an extension of the deadlines to construct both the 500 kV circuit and the 230 kV circuit.

5 On August 12, 2014, the Commission voted to reopen Decision No. 70850 pursuant to A.R.S.
6 § 40-252 and directed the Commission's Hearing Division to hold a procedural conference to discuss
7 scheduling and other procedural issues.

8 On September 4, 2014, a Procedural Order was issued scheduling a procedural conference to
9 be held on September 18, 2014, at the Commission's offices in Phoenix. This was subsequently
10 rescheduled, pursuant to an APS request.

11 On October 6, 2014, a procedural conference was held, with APS, ASLD, SFI Grand Vista,
12 LLC ("SFI Grand Vista"),¹ the City of Peoria ("Peoria"), Diamond Ventures, Inc. ("DVI"), and the
13 Commission's Utilities Division ("Staff") appearing through counsel. The remaining parties did not
14 attend.

15 On October 10, 2014, a Procedural Order was issued scheduling, among other things, a
16 hearing to commence on December 16, 2014, and continue, if necessary, on December 18 and 19,
17 2014.

18 The Commission has recently scheduled an Open Meeting and a Special Open Meeting on
19 December 18 and 19, 2014, respectively. Accordingly, it is necessary to convene a procedural
20 conference to discuss potential scheduling conflicts and other procedural matters.

21 IT IS THEREFORE ORDERED that a **procedural conference** in the above-captioned matter
22 shall commence on **December 11, 2014, at 1:30 p.m.**, or as soon thereafter as is practical,² at the
23 Commission's office, 1200 West Washington Street, Hearing Room No. 2, Phoenix Arizona 85007.
24 The parties may attend telephonically by calling: **1-800-689-9374, passcode 415962#**.

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27 ¹ SFI Grand Vista, LLC is the successor to Surprise Grand Vista JVI, LLC.

28 ² The start time of the procedural conference will be delayed, if necessary, to accommodate any scheduling conflicts with the December 11, 2014 Open Meeting.

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
2 Communications) continues to apply to this proceeding and shall remain in effect until the
3 Commission's Decision in this matter is final and non-appealable.

4 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
5 31, 38, and 42 with respect to practice of law and admission *pro hac vice*.

6 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
7 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
8 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings
9 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
10 discussion unless counsel has previously been granted permission to withdraw by the Administrative
11 Law Judge or the Commission.

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

15 DATED this 9th day of December, 2014.

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18 _____
SCOTT M. HESLA
ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed
20 this 9th day of December, 2014, to:

21 John Foreman, Chairman
22 Arizona Power Plant and Transmission
23 Line Siting Committee
24 Office of the Attorney General
25 PAD/CPA
26 1275 West Washington Street
27 Phoenix, AZ 85007
28
Melissa M. Krueger
Linda J. Benally
Pinnacle West Capital Corporation
400 North 5th Street, MS 8695
Phoenix, AZ 85004
Attorneys for Arizona Public Service Company

Thomas H. Campbell
Lewis Roca Rothgerber, LLP
201 East Washington Street, Suite 1200
Phoenix, AZ 85004
Attorneys for Arizona Public Service Company

Scott Wakefield
Ridenour Hienton & Lewis PLLC
201 North Central Avenue, Suite 3300
Phoenix, AZ 85004
Attorneys for DLGC II, LLC and
Lake Pleasant Group, LLP

1	Joseph Drazek Quarles & Brady LLP One Renaissance Square Two North Central Avenue Phoenix, AZ 85004 Attorneys for Vistancia, LLC	Lawrence Robertson, Jr. 2247 East Frontage Road, Suite 1 P.O. Box 1448 Tubac, AZ 85646 Attorney for Diamond Ventures, Inc.
4	Scott McCoy Earl, Curley & Lagarde, PC 3101 North Central Avenue, Suite 1000 Phoenix, AZ 85012 Attorneys for Elliott Homes, Inc.	Stephen J. Burg Office of the City Attorney City of Peoria 8401 West Monroe Street Peoria, AZ 85345 Attorneys for City of Peoria
7	Andrew E. Moore Andrew E. Moore Law Firm P.C. 207 N. Gilbert Road, #1 Gilbert, AZ 85234 Attorneys for Woodside Homes of Arizona, Inc.	Jay Moyes Steve Wene Moyes Sellers & Sims LTD 1850 North Central Avenue, Suite 1100 Phoenix, AZ 85004 Attorneys for Vistancia Homeowners Associations
10	Court Rich Ryan Hurley Rose Law Group PC 7144 East Stetson Drive, Suite 300 Scottsdale, AZ 85251 Attorneys for Warrick 160, LLC and Lake Pleasant 5000, LLC	Michael D. Bailey City Attorney City of Surprise 16000 North Civic Center Plaza Surprise, AZ 85374 Attorneys for City of Surprise
14	Robert N. Pizorno The Pizorno Law Firm PLC P.O. Box 51683 Phoenix, AZ 85076-1683	James Braselton Gary L. Birnbaum Mariscal, Weeks, McIntyre & Friedlander, P.A. 2901 North Central Avenue, Suite 200 Phoenix, AZ 85012 Attorneys for SFI Grand Vista LLC and Sunhaven Property Owners
17	Frederick E. Davidson Chad R. Kaffer The Davidson Law Firm 8701 East Vista Bonita Drive, Suite 220 P.O. Box 27500 Scottsdale, AZ 85255 Attorneys for Quintero Golf & Country Club and Quintero Community Association	Christopher Welker Holm Wright Hyde & Hays PLC 10429 South 51 st Street, #285 Phoenix, AZ 85044 Attorneys for LP 107, LLC
21	Dustin C. Jones RIDENOUR HIENTON PLLC 201 N. Central Avenue Suite 3300 Phoenix, AZ 85004-1052 Attorneys for Anderson Land and Development, Inc.	Stephen Cleveland City Manager City of Buckeye 530 E. Monroe Avenue Buckeye, AZ 85326
25	David F. Jacobs Assistant Attorney General 177 North Church Avenue, Suite 1105 Tucson, AZ 85701 Attorney for Arizona State Land Department	Charles W. and Sharie Civer 42265 North Old Mine Road Cave Creek, AZ 85331-2806
27		Art Othon 8401 West Monroe Street Peoria, AZ 85345
28		

- 1 Ruben Ojeda
- 2 Manager, Rights of Way Section
- 3 Arizona State Land Development
- 4 1616 W. Adams Street
- 5 Phoenix, AZ 85007

- 6 Janice Alward, Chief Counsel
- 7 Legal Division
- 8 ARIZONA CORPORATION COMMISSION
- 9 1200 West Washington Street
- 10 Phoenix, AZ 85007

- 11 Steven M. Olea, Director
- 12 Utilities Division
- 13 ARIZONA CORPORATION COMMISSION
- 14 1200 West Washington Street
- 15 Phoenix, AZ 85007

- 16 COASH & COASH, INC.
- 17 Court Reporting, Video and Videoconferencing
- 18 1802 North 7th Street
- 19 Phoenix, AZ 85006

12 By: Rebecca Unquera
13 Rebecca Unquera
14 Assistant to Scott M. Hesla

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