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**Memorandum**  
From the office of  
**Commissioner Bob Burns**  
**Arizona Corporation Commission**  
1200 W. WASHINGTON  
PHOENIX, ARIZONA  
(602) 542-3682

ORIGINAL

TO: Docket Control

DATE: January 22, 2015

FROM: Commissioner Bob Burns

SUBJECT: Docket No. L-00000D-04-0127-00000

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The attached documents were handed to Commissioner Burns at the Staff Meeting.

Arizona Corporation Commission

DOCKETED

JAN 22 2015

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**RESOLUTION # 2014-123**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA SUPPORTING RESIDENTIAL FRIENDLY ALIGNMENT AND CONSTRUCTION OF THE APS WEST VALLEY-NORTH POWER LINE PROJECT.**

**WHEREAS**, the Surprise City Council, on May 13, 2004, adopted Resolution 04-106 identifying City of Surprise preferred APS line corridors for the West Valley-North Power Line and Substation Siting Project;

**WHEREAS**, Resolution 04-106 sought to protect environmentally sensitive lands, scenic and recreation corridors, and the mission of Luke Air Force Base;

**WHEREAS**, Resolution 04-106 noted that the transmission line corridor should be located as far away as possible from existing or planned residential areas, and supported alignments that minimize the impacts on residents;

**WHEREAS**, the Arizona Corporation Commission, pursuant to decision number 67828, granted the Certificate of Environmental Compatibility and thereby authorized the construction of a double circuit 230kV transmission line with a 69kV underbuilt within a corridor indicated on Exhibit A of decision number 67828, a copy of which is attached hereto and incorporated herein by reference (the "Approved Route");

**WHEREAS**, at the time of route approval, 195<sup>th</sup> Avenue was anticipated to be regional travel corridor between the Estrella Freeway and the White Tank Mountains, a transportation plan which has since been drawn into question in favor of a scenic parkway;

**WHEREAS**, since the route was approved, additional residential developments have been constructed along Cactus Road; and

**WHEREAS**, the Mayor and Council seek to minimize the negative impact to residents in the vicinity of the Approved Route.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Surprise, Arizona, as follows.

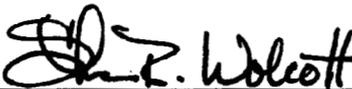
**Section 1.** The installation of the 230kV transmission lines along the Approved Route should be done with the minimum amount of impact to the residents along the route.

**Section 2.** To the extent feasible, the 230kV transmission line should be relocated to the south side of Cactus Road with a 69kV underbuild; or transmission lines should be installed underground.

**Section 3.** Existing vegetation and trees should be maintained where feasible, or relocated as close as possible to its original location. Additional vegetation and trees should be added as necessary to screen from view visible transmission lines, poles, and bases.

**Section 4.** The Mayor and Council urge APS to work with residents to identify ways to reduce or minimize impact on residential areas along the transmission line route.

**APPROVED AND ADOPTED** this 16<sup>th</sup> day of December, 2014.



Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

  
Sherry Aguilar, City Clerk  
Misty Leslie, City Attorney

**RESOLUTION #04-106**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF  
THE CITY OF SURPRISE, ARIZONA STATING  
PREFERENCES FOR PROPOSED POWER LINE  
CORRIDORS IN THE CITY OF SURPRISE PLANNING  
AREA UNDER REVIEW BY THE ARIZONA PUBLIC  
SERVICE COMPANY.**

WHEREAS, Arizona Public Service Company is evaluating preliminary power line routes and substation sites for their West Valley-North Power Line and Substation Project, and;

WHEREAS, additional electrical power transmission facilities are important to the continued growth and development of the Northwest Valley, and;

WHEREAS, the protection of environmentally sensitive lands, scenic travel and recreation corridors, and quality of life in our neighborhoods is important to all current and future Surprise residents, and;

WHEREAS, overhead electrical power transmission lines should not be located where they could pose a hazard to aircraft operations, or to the mission of Luke Air Force Base, and;

WHEREAS, overhead electrical power transmission lines should be placed in locations where they are the least obtrusive to neighborhoods and commerce;

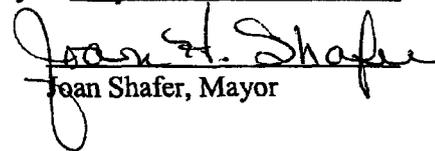
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Surprise, Arizona, that:

1. Arizona Public Service Company (hereafter APS) has proposed a substation, referred to by APS as Substation TS2 for the vicinity of SR 303L and Olive Avenue. The property owner at the proposed location has offered to donate property for this substation at an alternative location north of the Waddell Road alignment and west of the Beardsley Canal. We strongly support this alternative location.
2. We strongly object to the placement of new overhead transmission lines along the SR 303L corridor or along Bell Road. These locations were included as part of the "Loop 303 North Route" identified by APS. The full planned capacity of the Loop 303 will be required to accommodate future travel demand. Since the entire corridor north of Greenway Road is developed, no undeveloped land is available

that is not required for roadway capacity. The Bell Road corridor between the Beardsley Canal and the Loop 303 is fully developed or under construction. Overhead power lines in close proximity to residences are not acceptable. As with the Loop 303, no additional vacant land is available that is not needed for roadway capacity.

3. The McMicken Dam or the adjacent floodplain south of Bell Road would be an acceptable location for transmission lines if hydrological and operational issues can be resolved. Extension of the lines to the north of Bell Road should not follow McMicken Dam to the Northeast, as that location is too close to residential neighborhoods; but rather continue directly northward toward the proposed TS1 Substation.
4. The Jackrabbit Trail/195<sup>th</sup> Avenue alignment is an acceptable location for the north/south portion of the proposed TS1 to TS2 route; as is the 191<sup>st</sup> Avenue alignment. The 199<sup>th</sup> Avenue alignment also being considered by APS is too close to the boundary of the White Tank Mountain Regional Park, and may negatively impact the recreational experience of those who visit the park.
5. The east/west portion of the proposed line connecting the TS1 and TS2 substations with the transmission line corridor south of Olive Avenue (already approved by the Arizona Corporation Commission) should be located where the smallest number of residences are located or planned. We would support the placement of this segment of the transmission line along Olive Avenue.
6. The proposed transmission line between the TS1 and TS5 Substations should not be placed where it may interfere with the operations of Luke Air Force Base Auxiliary Field One. The "500 kV Corridor West Route" identified by APS is the best location for this line. Deer Valley Road, identified by APS as the "1/2 Section North Route", is classified as a "parkway" in the Surprise 2020 General Plan. That roadway will be developed, with a 190 foot cross section, to carry regional through traffic. We strongly object to the "1/2 Section South Route" candidate along the Beardsley Road alignment as well as the "Sun Valley Parkway West Route" candidate. Both the City of Surprise and our neighbor to the west, the Town of Buckeye, have identified the Sun Valley Parkway as a Scenic Corridor, with wide setbacks to enhance the scenic vistas. Additionally, the Surprise 2020 General Plan calls for resort uses to the south of this roadway. The proposed power lines would not be appropriate to such land uses.

APPROVED AND ADOPTED this 13 day of May, 2004

  
Joan Shafer, Mayor

Attest:

Hinda B. Stevens for  
Sherry Aguilar, City Clerk

Approved as to form:

Jeffrey Blilie  
Jeffrey Blilie, City Attorney

Yeas: Mayor Shafer, Vice-Mayor Cox, Council Members; Allen, Bails,  
Arismendez, Sullivan & Vukanvoich.

Nays: \_\_\_\_\_

### Surprise Development Status:

- Current Population:123,546
- Population in 2010: 117,517
- 40% fewer residential construction permits in 2014 compared to 2013

	2014 Total	%Delta 2013	2013 Total	2012 Total	2011 Total	2010 Total	2009 Total
Surprise	332	-40%	551	529	220	216	285

### Development History of Sarah Ann Ranch:

The original development plan for the Sarah Ann Ranch community (a PAD) was approved by the Surprise City Council in June 2003, included 960 lots. Platting, consistent with the 2003 plan, was approved in November 2005. Construction began in February 2007, with the last infrastructure improvements accepted in January 2008. APS condemned the easement in the Sarah Ann Ranch Community in February 2008. Some lots on the west side of the development are still subject to construction. The builder is Courtland Homes.

### Current Approved Corridor:

The Arizona Corporation Commission approved Decision 67828 on May 5, 2005, authorizing Arizona Public Service Company (APS) to construct a double circuit 230kV transmission line with a 69kV underbuild within the defined West Valley – North transmission line corridor, along with two substations and related facilities. The approved corridor begins at a substation located the northwest corner of Loop 303 and Olive Avenue, traveling north along the west side of Loop 303 to Cactus Road. The corridor then extends west along the north side of Cactus Road to the midline between Perryville Road and 195<sup>th</sup> Avenue, and then north along the mid-section to ½ mile north of Union Hills Drive. The corridor then continues in an overall northwestern direction, ultimately terminating at a substation at approximately 291<sup>st</sup> and Sun Valley Parkway. The Certificate expires 10 years from the date of approval; May 5, 2015.

### Resident Concerns

Construction of the Surprise portion West Valley – North Transmission Lines began around the first part of November 2014. Resident concerns were brought to council attention in mid November 2014. Those concerns included:

- Health and safety concerns related to:
  - proximity of the homes to the transmission lines
  - presence of school bus pick up immediately under the transmission lines
  - impact of transmission lines on medical devices such as hearing aides and/or pacemakers
- Aesthetic concerns
  - Loss of 280 Orange Trees fundamental to the “theme” of the community
  - Loss of all vegetation within the easement
  - Noise from the lines – the “hmmm”

- Communication/understanding of the presence of the lines
  - Belief of installation of the 69kV lines on south side of cactus was the only line to be installed
  - Limited posting/notices along corridor (one sign on a private dirt road between cotton lane and 175<sup>th</sup> avenue)

#### **The Goals of the Mayor and Council,**

- Promote installation of transmission lines within the West Valley – North corridor as far away from residential development as possible.
- Promote cooperation among stakeholders to find an amicable solution if feasible.

Resolution 04-106, adopted May 13, 2004, Section 5 provides:

*The east/west portion of the proposed line connecting the TS1 and TS2 substations with the transmission line corridor south of Olive Avenue (already approved by the Arizona Corporation Commission) should be located where the smallest number of residents are located or planned. We would support the placement of this segment of the transmission line along Olive Avenue.*

Resolution 2014-123, adopted December 16, 2014, Sections 1-2 provide:

**Section 1.** *The installation of the 230kV transmission lines along the Approved Route should be done with the minimum amount of impact to the residents along the route.*

**Section 2.** *To the extent feasible, the 230kV transmission line should be relocated to the south side of Cactus Road with a 69kV underbuild; ... .*

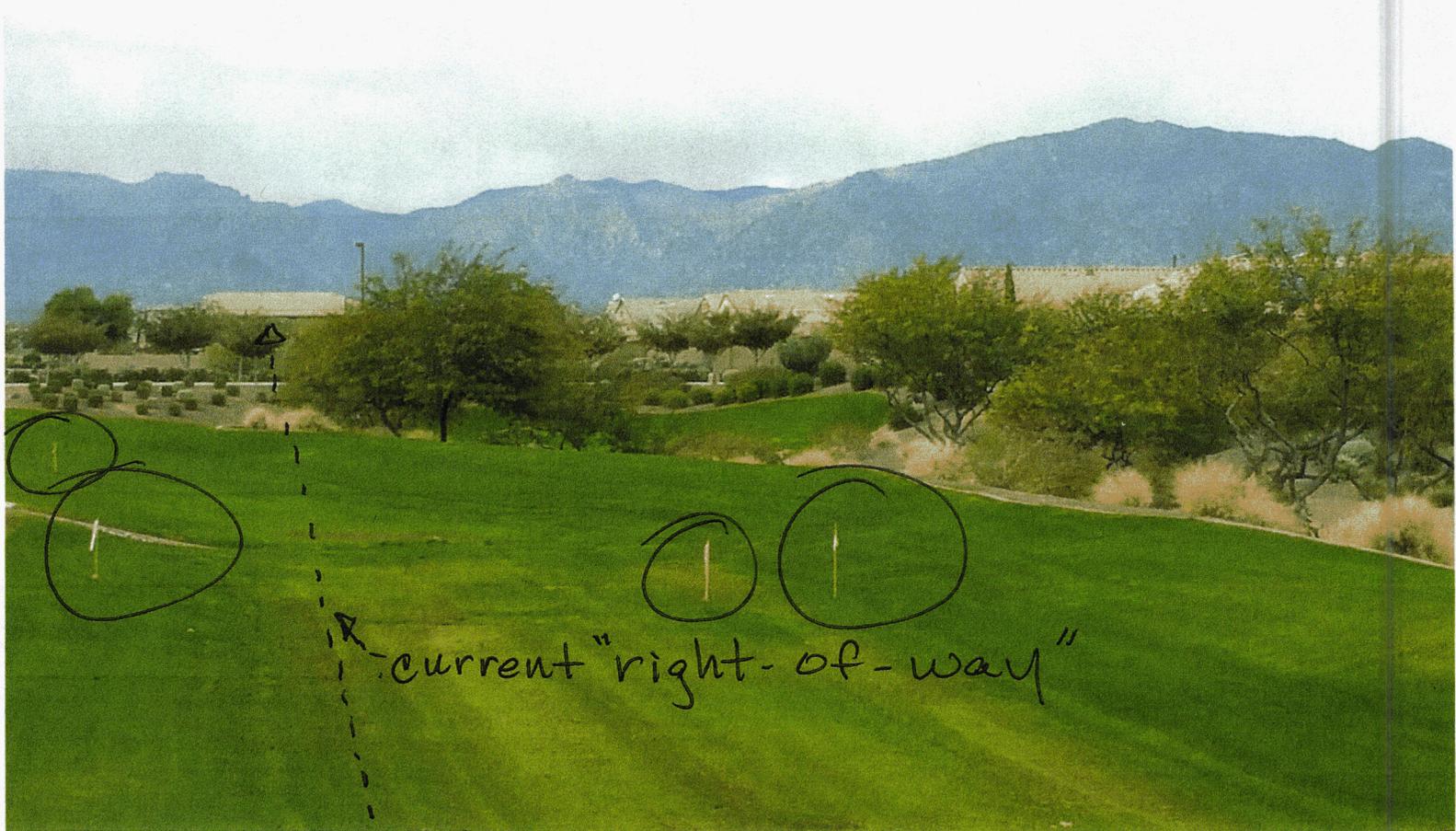
#### **Commitment to Cooperation**

On January 14<sup>th</sup> City and APS agreed:

- City would work with land owners along the south side of Cactus Road to allow relocation of the lines without additional land costs to APS (already began that process, discussing the concept with Suburban Land Reserve – owners of the majority of property)
- APS would forestall construction abutting Sarah Ann Ranch through February 13<sup>th</sup>
- APS and City would work together to attempt to find a feasible solution; meeting regularly

#### **Moving Forward:**

If the City can identify a reasonable and balanced solution for the issues raised by the home owners, the City would file a petition under A.R.S. 40-252 to amend Decision 67828 to extend the southern boundary of the corridor along cactus road by 250 feet and request an Administrative Law Judge be assigned to expedite the time for review as much as possible.



Sarah Ann Ranch Subdivision  
 Surprise, AZ  
 Greenbelt / white tank Mtus

(East/West Photo)

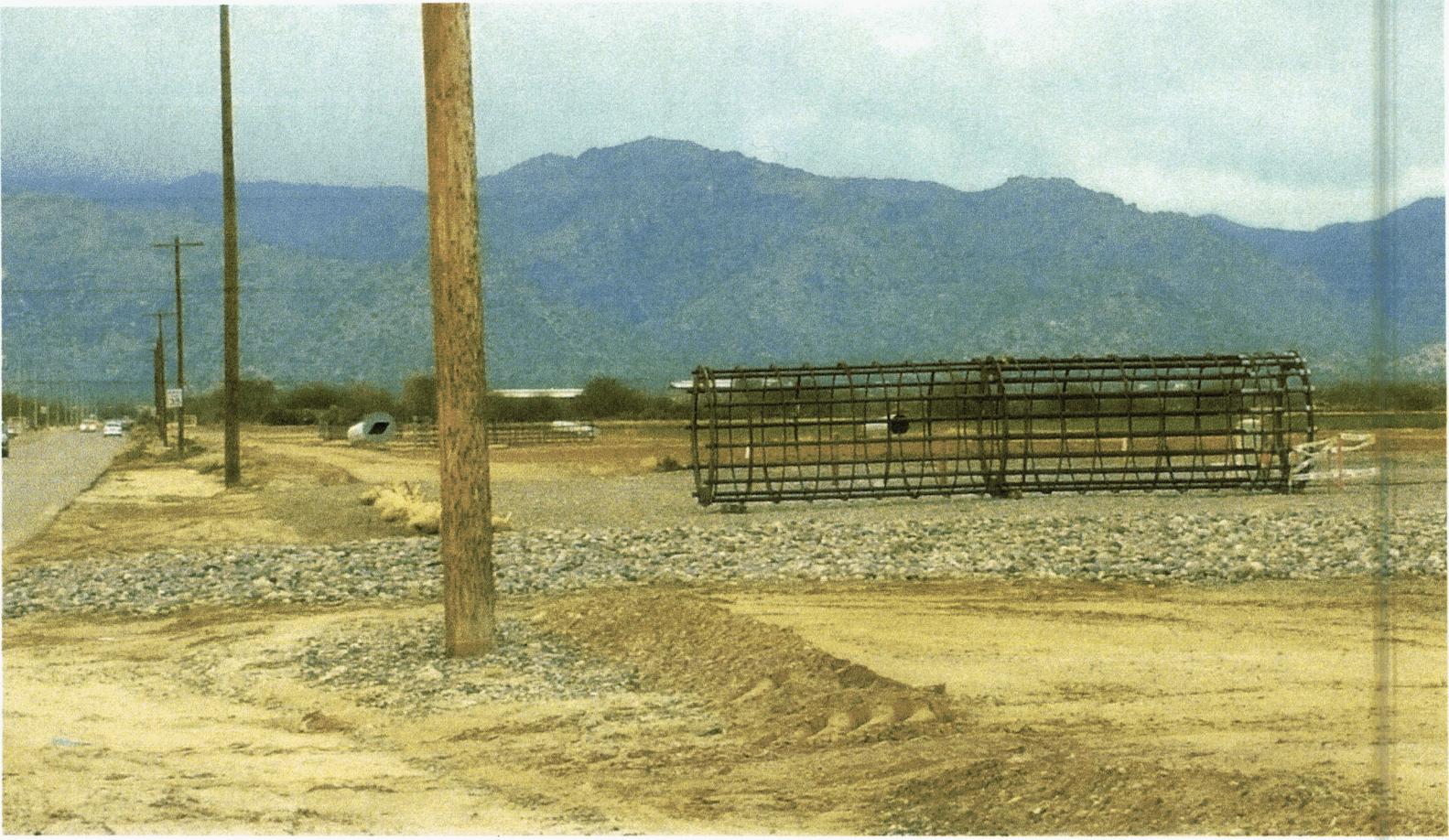
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Proposed  
 Revised  
 Section

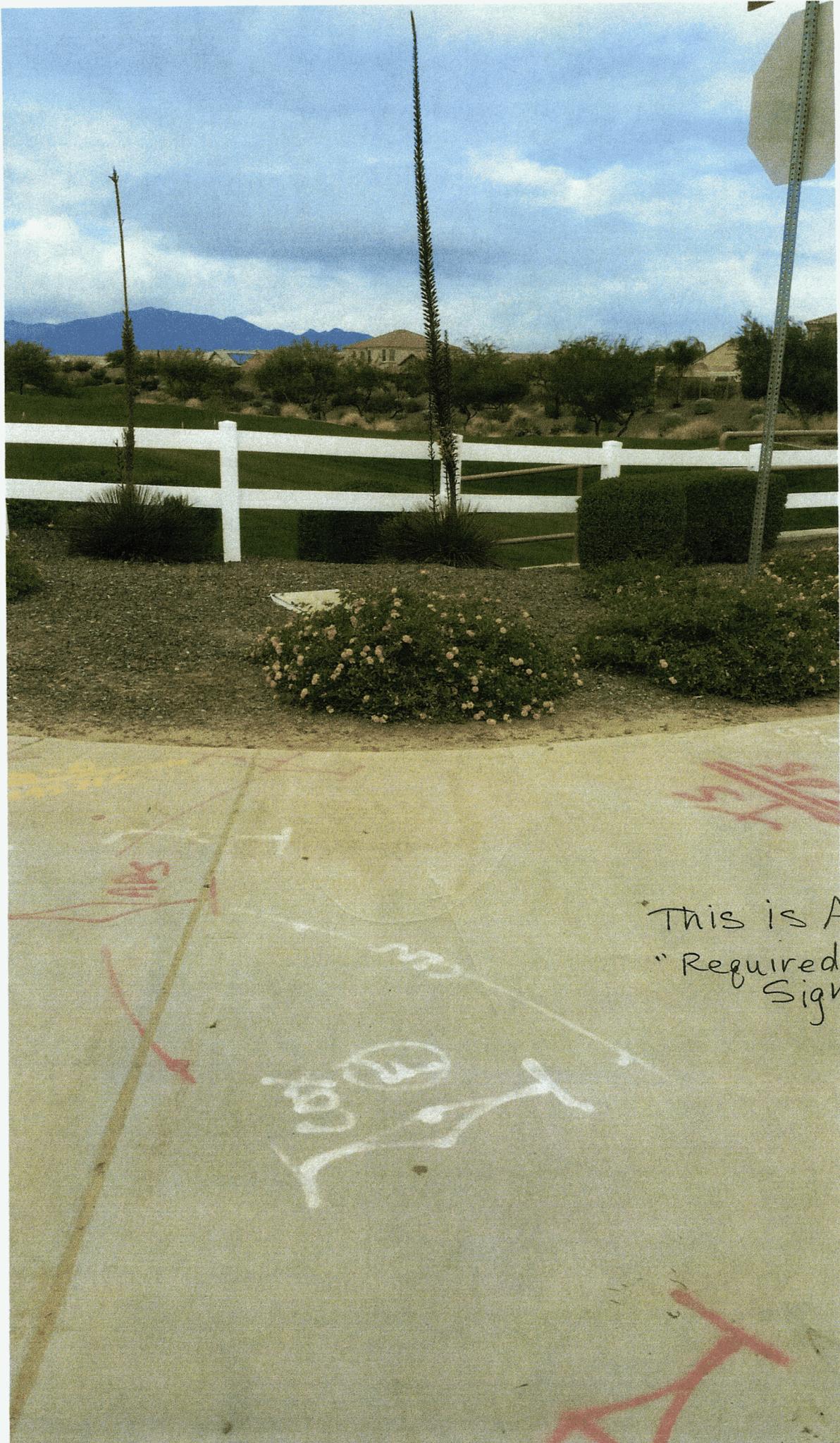
: Cactus Rd Between 175th Street  
 + Citrus Rd



Proposed Pole/Tower Location







This is APS's  
"Required Signage"?!



This sign made  
it 'road side'  
approx. 3 weeks  
ago - The other  
sign that APS  
stated they put up  
was on a non-travel  
gravel, ungraded,  
un-used road "at 1/2 way"



P. 2 of 2



This is a current picture of how APS.  
has left the vegetation/fruit since cutting  
just prior to Thanksgiving.