

ORIGINAL
COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

OPEN MEETING ITEM



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ARIZONA CORPORATION COMMISSION

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DATE: APRIL 27, 2015
DOCKET NO.: L-00000D-08-0330-00138

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Scott M. Hesla. The recommendation has been filed in the form of an Opinion and Order on:

ARIZONA PUBLIC SERVICE
(§ 40-252 – DECISION NO. 70850)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MAY 6, 2015

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 12, 2015 and MAY 13, 2015

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

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Handwritten signature of Jodi Jerich in cursive.

JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 SUSAN BITTER SMITH - Chairman
4 BOB STUMP
4 BOB BURNS
5 DOUG LITTLE
5 TOM FORESE

6
7 IN THE MATTER OF THE APPLICATION OF
8 ARIZONA PUBLIC SERVICE COMPANY, IN
9 CONFORMANCE WITH THE REQUIREMENTS
10 OF ARIZONA REVISED STATUTES §§ 40-360, et
11 seq., FOR A CERTIFICATE OF
12 ENVIRONMENTAL COMPATIBILITY
13 AUTHORIZING THE TS-5 TO TS-9 500/230 kV
14 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

DECISION NO. _____

OPINION AND ORDER

15 DATES OF HEARING: October 6 and December 11, 2014 (Procedural
16 Conferences); December 16, 2014 (Public Comment);
January 20 and 21, 2015.

17 PLACE OF HEARING: Phoenix, Arizona

18 ADMINISTRATIVE LAW JUDGE: Scott M. Hesla¹

19 IN ATTENDANCE: Doug Little, Commissioner

20 APPEARANCES: Ms. Melissa Krueger and Ms. Linda Benally,
21 PINNACLE WEST CAPITAL CORPORATION, on
behalf of the Applicant;

22 Mr. David Jacobs, OFFICE OF THE ATTORNEY
GENERAL, on behalf of the Arizona State Land
23 Department;

24 Mr. James Braselton and Mr. Gary L. Birnbaum,
DICKINSON WRIGHT, P.L.L.C., on behalf of SFI
25 Grand Vista, L.L.C.;

26 Mr. Stephen J. Burg, OFFICE OF THE CITY
ATTORNEY, on behalf of the City of Peoria;

27 _____
28 ¹ Administrative Law Judge Sarah N. Harpring was initially assigned to this case and she held the first procedural
conference in this matter.

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Mr. Lawrence V. Robertson, Jr., OF COUNSEL to MUNGER CHADWICK, P.L.C., on behalf of Diamond Ventures, Inc.

Mr. Charles Hains, Staff Attorney, Legal Division, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On March 17, 2009, the Arizona Corporation Commission (“Commission”) issued Decision No. 70850 in Line Siting Case No. 138 (“CEC 138”), granting Arizona Public Service Company (“APS” or “Company”) a Certificate of Environmental Compatibility (“CEC”) authorizing it to construct approximately 39 miles of 500/230kV 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. CEC 138 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 CEC 138, to construct the 500kV circuit within seven years, and to construct the 230kV circuit within ten years.

2. 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.

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

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

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

7 6. On October 6, 2014, a procedural conference was held, with APS, ASLD, SFI Grand
8 Vista, LLC ("SFI Grand Vista"),² the City of Peoria ("Peoria"), Diamond Ventures, Inc. ("DVI"), and
9 the Commission's Utilities Division ("Staff") appearing through counsel. The remaining parties
10 listed in this Docket did not attend. At the procedural conference, it was determined that a hearing
11 would be scheduled; that APS would be required to provide public notice through both publication
12 and mail to affected property owners; and that each party would file a brief by November 3, 2014,
13 addressing the legal standard applicable to the Commission's determinations in this matter.

14 7. On October 10, 2014, a Procedural Order was issued establishing various filing dates
15 and scheduling a hearing to commence on December 16, 2014, and continue, if necessary, on
16 December 18 and 19, 2014.

17 8. On October 10, 2014, DVI and Peoria filed a joint brief addressing the legal standard
18 applicable to the Commission's determinations in this matter.

19 9. On November 3, 2014, APS, ASLD, SFI Grand Vista, and Staff filed briefs addressing
20 the legal standard applicable to the Commission's determinations in this matter.

21 10. On November 6, 2014, APS filed an affidavit certifying that public notice of the
22 application and hearing was: mailed to current owners of tax parcels located within one mile of the
23 outside boundaries of the certified corridor and proposed modifications to the certificated corridor on
24 October 22, 2014; posted prominently on the APS website (www.aps.com) beginning on October 16,
25 2014; posted prominently in the service offices of APS located within Maricopa County, including
26 the City of Surprise, beginning on October 23, 2014; published in the *Daily News-Sun* on October 21,
27

28 ² SFI Grand Vista, LLC is the successor to Surprise Grand Vista JVI, LLC.

1 2014; and published in the *Arizona Republic - Business Gazette* and *West Valley View* on October 24,
2 2014.

3 11. On November 6, 2014, DVI filed a Statement of Position in Lieu of Intervenor Direct
4 Testimony.

5 12. On November 7, 2014, ASLD, SFI Grand Vista, and Staff filed the direct testimonies
6 of their respective witnesses to be presented at hearing.

7 13. On December 1, 2014, APS filed the rebuttal testimonies of its witnesses and
8 associated exhibits to be presented at hearing.

9 14. On December 8, 2014, ASLD filed the surrebuttal testimony of its witness to be
10 presented at hearing.

11 15. On December 9, 2014, a Procedural Order was issued scheduling a procedural
12 conference to discuss potential scheduling conflicts with the Commission Open Meetings scheduled
13 on December 18 and 19, 2014.

14 16. On December 11, 2014, a procedural conference was held, as scheduled, with APS,
15 ASLD, SFI Grand Vista, Peoria, DVI, and Staff appearing through counsel.

16 17. On December 15, 2014, a Procedural Order was issued rescheduling the hearing to
17 commence on January 20, 2015, and continue, if necessary, on January 21, 2015. Since APS
18 provided public notice of the hearing, the December 16, 2014 hearing date was preserved solely for
19 the purpose of taking public comment.

20 18. On December 16, 2014, a public comment session was convened, as scheduled, with
21 APS, ASLD, SFI Grand Vista, Peoria, and Staff appearing through counsel. Approximately 11
22 residential property owners appeared to oppose the proposed corridor modification along Cloud
23 Road, between 235th Avenue and 211th Avenue, on the grounds that the proximity of the transmission
24 line would substantially devalue their property, create health and safety issues, and diminish the
25 aesthetic nature of the surrounding area.

26 19. On January 14, 2015, ASLD filed a Notice of Substitution of Witness.

27 20. On January 20 and 21, 2015, a full public hearing was convened, as scheduled, with
28 APS, ASLD, SFI Grand Vista, Peoria, DVI, and Staff appearing through counsel. At the conclusion

1 of the hearing, the parties were directed to file closing briefs no later than February 20, 2015, and
2 reply briefs no later than February 27, 2015.

3 21. On February 10, 2015, the West Cloud Road Private Property Owners' Association
4 filed a Motion to Intervene.³

5 22. On February 12, 2015, the West Cloud Road Private Property Owners' Association
6 filed a Motion to Expedite Determination on Motion to Intervene.

7 23. On February 18, 2015, APS filed a Notice of On-Going Settlement Discussions and
8 Request to Extend Schedule for Closing Briefs. In its filing, APS requested an extension of time to
9 file closing and reply briefs due to ongoing settlement discussions with ASLD, SFI Grand Vista,
10 Peoria, DVI, Staff, and the proposed intervenor West Cloud Road Private Property Owners'
11 Association.

12 24. On February 23, 2015, a Procedural Order was issued granting the request of APS.

13 25. On March 5, 2015, DVI and Peoria filed a Post-Hearing Joint Statement of Position in
14 Lieu of Initial Brief.

15 26. On March 6, 2015, ASLD filed a Notice of Agreed Revised ASLD Proposed Corridor
16 and Request to Revise APS Application to Amend.

17 27. On March 6, 2015, APS and Staff filed post-hearing closing briefs.

18 28. On March 13, 2015, APS and Staff filed post-hearing reply briefs.

19 **Application to Amend CEC 138**

20 29. In its Application to Amend CEC 138, APS requested the following corridor
21 modifications to CEC 138: (1) an approximate 0.7 mile section of the corridor between 171st Avenue
22 and 179th Avenue south of State Route ("SR") 74 ("Proposed Corridor South of SR 74"); (2) an area
23 near the Morgan substation ("Proposed Morgan Substation Corridor"); and (3) an area near the Sun
24 Valley substation ("Proposed Sun Valley Substation Corridor"). The remaining corridor
25 modification was proposed by APS at the request of ASLD and involves: a three-mile, east-west

26 ³ In its motion, the West Cloud Road Private Property Owners' Association stated that it is an organization comprised of
27 more than 60 owners of existing residences and residential real property located on the south side of Cloud Road, from
28 211th Avenue on the east, to approximately 219th Avenue on the west. The West Cloud Road Private Property Owners'
Association further stated that many of its members presented verbal and written public comment in opposition to the
proposed corridor modification along Cloud Road.

1 segment of the certificated corridor between 235th Avenue and 211th Avenue on Joy Ranch Road and
 2 the associated one-mile, north-south segment on 211th Avenue ("ASLD Proposed Corridor"). APS
 3 further requested that the time period to construct the facilities authorized by CEC 138 be extended
 4 for an additional five years to March 17, 2021 for the 500kV circuit, and for an additional eleven
 5 years to March 17, 2030 for the 230kV circuit.⁴

6 **Proposed Corridor South of SR 74⁵**

7 30. APS requested that the Commission amend CEC 138 to expand the corridor between
 8 171st Avenue and 179th Avenue (south of SR 74) to allow the corridor to run in straight alignment
 9 with the section line, thus eliminating the triangular portion. According to APS, this revision to CEC
 10 138 would reduce the cost of the Project since the alignment would require fewer transmission
 11 structures, fewer turning structures, and the need for less right-of-way for the Project and reduce the
 12 impact on State Trust lands.

13 **Proposed Morgan Substation Corridor⁶**

14 31. APS also requested that the Commission amend CEC 138 to modify the corridor near
 15 the Morgan substation for up to 0.8 mile along Cloud Road from the existing Western Area Power
 16 Administration 230kV transmission corridor to the eastern section line of Section 33. According to
 17 APS, this modification would allow APS the flexibility to design the connection into the substation
 18 more efficiently, resulting in smaller right-of-way and a reduced number of turning structures.

19 **Proposed Sun Valley Substation Corridor⁷**

20 32. APS also requested an expansion of the CEC 138 corridor to align with the CEC 127⁸
 21 corridor. APS stated that the corridor would start at the southern edge of the Sun Valley substation
 22 site and end on the north side of the existing Central Arizona Project ("CAP") canal (running north-
 23 south for approximately one mile) and extending up to 1,000 feet east of the half-section lines in
 24

25 ⁴ Condition No. 3 of CEC 138 authorizes APS to request an extension these time limits.

26 ⁵ Staff and ASLD recommended adoption of Proposed Corridor South of SR 74. SFI Grand Vista, DVI, and Peoria took
 no position with respect to the Proposed Corridor South of SR 74.

27 ⁶ Staff and ASLD recommended adoption of Proposed Morgan Substation Corridor. SFI Grand Vista, DVI, and Peoria
 took no position with respect to the Proposed Morgan Substation Corridor.

27 ⁷ Staff and ASLD recommended adoption of Proposed Sun Valley Substation Corridor. SFI Grand Vista, DVI, and
 Peoria took no position with respect to the Proposed Sun Valley Substation Corridor.

28 ⁸ The Commission approved CEC 127 in Decision No. 67828 (May 5, 2005).

1 Sections 20 and 29. APS noted that the corridor expansion of up to 1,000 feet is entirely within the
2 CEC 127 certificated corridor. APS further noted that it has already secured the necessary easements
3 and right of way to this land for the transmission line in CEC 127. According to APS, this change
4 has a variety of benefits, including: (1) avoiding crossing the CAP canal in a location less favorable
5 to the Central Arizona Water Conservation District; (2) co-locating the transmission lines in CEC 127
6 and CEC 128, resulting in them crossing the canal adjacent to and parallel with one another; and (3)
7 accommodating efficient use of existing rights-of-way in that area.

8 **ASLD Proposed Corridor**

9 33. At the request of ASLD, APS proposed to amend CEC 138 by authorizing relocation
10 of a one-mile, north-south section of the corridor to 211th Avenue from 235th Avenue and a three-
11 mile, east-west section of the corridor between 211th Avenue and 235th Avenue south one mile so that
12 the corridor runs along the southernmost border of a parcel of State Trust land rather than through the
13 middle. According to APS, the ASLD Proposed Corridor would effectively reroute four miles of the
14 corridor from its current location, adjacent to Joy Ranch Road, south approximately one mile to
15 Cloud Road, between 211th Avenue and 235th Avenue.

16 34. The only contested issue at the hearing involved the ASLD Proposed Corridor. ASLD
17 argued that the current certificated corridor along Joy Ranch Road is not appropriate because it
18 bifurcates a parcel of the State Trust land, rendering that parcel less valuable. According to ASLD,
19 the ASLD Proposed Corridor protects the value of the State Trust land because it preserves a large,
20 uninterrupted parcel of Trust land that is more suitable for master planning. ASLD asserted that the
21 proposed corridor modification is in accord with its duty under the Arizona Constitution to serve the
22 best interest of the Trust beneficiaries. APS and Staff recommended approval of the ASLD Proposed
23 Corridor. DVI and Peoria took no position with respect to the ASLD Proposed Corridor as it did not
24 impact their respective interests.

25 35. SFI Grand Vista owns a master planned property that abuts a portion of the ASLD
26 Proposed Corridor.⁹ SFI Grand Vista opposed the ASLD Proposed Corridor claiming, among other
27

28 ⁹ SFI Grand Vista indicated that construction of the master planned community has not yet commenced.

1 things, that the proximity of the proposed transmission corridor would substantially reduce the value
2 of its property. In addition, SFI Grand Vista argued that the proposed Cloud Road realignment would
3 have a similar impact on nearby residences: 18 residences would be within 500 feet of the ASLD
4 Proposed Corridor; 26 residences would be within 1,000 feet of the ASLD Proposed Corridor; and 43
5 residences would be within 1,500 feet of the ASLD Proposed Corridor. Further, SFI Grand Vista
6 argued that amending CEC 138 to adopt the ASLD Proposed Corridor six years after CEC 138 was
7 issued would be inequitable.

8 **Revised ASLD Proposed Corridor**

9 36. After the hearing in this matter was adjourned, ASLD proposed to the parties a revised
10 proposed corridor to replace, in part, the ASLD Proposed Corridor included in the Application to
11 Amend CEC 138. The revised proposed corridor is a 1,500 foot-wide corridor that angles in a
12 northeast direction beginning at the Cloud Road alignment west of 218th Avenue and extending to the
13 Maddock Road alignment and 211th Avenue (“Revised ASLD Proposed Corridor”).

14 37. APS, ASLD, SFI Grand Vista, and the proposed intervenor West Cloud Road Private
15 Property Owners’ Association support the Revised ASLD Proposed Corridor; DVI and Peoria
16 indicated that they have no position to the Revised ASLD Proposed Corridor as it does not impact
17 their respective interests; and Staff stated that it has no objection to the Revised ASLD Proposed
18 Corridor because the revised routing modification will not detrimentally impact the reliability or need
19 for the Project. Accordingly, all contested issues among the parties in this proceeding have been
20 resolved.

21 38. APS asserted that the Revised ASLD Proposed Corridor would help mitigate the
22 visual impacts to existing residences located south of the Cloud Road alignment. According to APS,
23 no residences would be within 1,000 feet of the Revised ASLD Proposed Corridor and only one
24 residence would be within 1,500 feet.

25 39. According to APS, the Revised ASLD Proposed Corridor would minimally increase
26 the cost of the Project in the range of \$250,000 and \$400,000 because this route would require two
27 more turning structures. APS asserted that, in balance, the public interest favors adopting the
28 Revised ASLD Proposed Corridor.

CEC Term Extension Requests¹⁰

40. APS requested that the Commission amend CEC 138 by extending its term to allow APS five more years to March 17, 2021 to build the 500kV circuit and eleven more years to March 17, 2030 to build the 230kV circuit. According to APS, term extensions for CEC 138 are warranted due to: (1) a lengthy federal review process with the Bureau of Land Management ("BLM") regarding APS' right-of-way application; and (2) the economic downturn and low system growth experienced in the last few years. APS is anticipating that it will need the 500kV circuit and 230kV circuit within the time frame requested.

Staff's Analysis

41. Staff analyzed the requested modifications to determine whether they jeopardized the public interest in the need, reliability, and economic aspects of the Project.

42. Based on the need for the Project, Staff stated that it agrees with APS that the need for the Project has been deferred, not eliminated, by the general economic slowdown and that the Project is still needed. Therefore, Staff recommends approval of the CEC term extensions requested by APS.

43. In terms of reliability, Staff stated that it does not believe that the route modifications jeopardize the reliability of the transmission system because the modifications do not introduce additional line crossings, add to the congestion of transmission corridors, or otherwise contribute adversely to the physical reliability of the high voltage electrical system.

44. From an economic standpoint, Staff stated that it does not view the proposed route modifications as causing significant cost changes to the Project. According to Staff, the total number of towers and length of conductor needed will be substantially unaffected by granting the requested route modifications. Staff noted that to the extent that some route modifications in isolation may increase the required materials and associated cost for constructing that segment of the Project, the cost is offset by savings from other route modifications that reduce the total construction materials.

...

¹⁰ Staff recommended approval of the term extension requests. ASLD, SFI Grand Vista, DVI, and Peoria took no position with respect to the term extension requests.

1 45. Staff recommends adoption of the APS requested modifications to CEC 138.

2 **Resolution**

3 46. Based on the record of this proceeding, we find that APS' requests to extend the time
4 period to complete construction of the 500kV circuit for five years and the 230kV circuit for eleven
5 years are appropriate, reasonable, and in the public interest, and should therefore be granted.

6 47. Based on the record of this proceeding, we further find that it is appropriate,
7 reasonable, and in the public interest to amend CEC 138 to adopt the Proposed Corridor South of SR
8 74; the Proposed Morgan Substation Corridor; the Proposed Sun Valley Substation Corridor; and the
9 Revised ASLD Proposed Corridor, as discussed herein.

10 48. Based on the record of this proceeding, we further find that the effects of the corridor
11 modifications are similar to the previously certificated corridor, and are therefore environmentally
12 compatible.

13 **West Cloud Road Private Property Owners' Association's Motion to Intervene**

14 49. On February 10, 2015, the West Cloud Road Private Property Owners' Association
15 filed a Motion to Intervene ("Motion") stating that its interest in participating in this proceeding is
16 limited to asserting its objection to the ASLD Proposed Corridor. Since the West Cloud Road Private
17 Property Owners' Association supports the Revised ASLD Proposed Corridor adopted herein, its
18 stated purpose for participating in this proceeding no longer exists. Accordingly, the Motion is
19 denied as moot.¹¹

20 **CONCLUSIONS OF LAW**

21 1. The Commission has jurisdiction over Arizona Public Service Company and the
22 subject matter contained herein pursuant to A.R.S. §§ 40-252 and 40-360, *et seq.*

23 2. Notice of the proceeding has been provided in the manner prescribed by law.

24 3. It is reasonable and appropriate to amend Decision No. 70850 to adopt the proposed
25 corridor route modifications, as discussed herein.

26 ...

27 ¹¹ Likewise, the West Cloud Road Private Property Owners' Association Motion to Expedite Determination on Motion to
28 Intervene filed on February 12, 2015 is also denied as moot.

1 the centerline of the Cloud Road alignment (the Maddock Road alignment) and
2 1,500 feet west of the centerline of the 211th Avenue alignment. The corridor
3 width includes 1,500 feet perpendicular to and northwest of the described line.

- 4 • A 1,500 foot-wide corridor that extends north along the 211th Avenue
5 alignment for approximately 0.8 mile from the Maddock Road alignment to
6 1,500 feet north of the Joy Ranch Road alignment. The corridor width
7 includes 1,500 feet west of the centerline of the 211th Avenue alignment.

- 8 4. At page 5, lines 16 through 19, substitute with the following language:

9 A 1,500 foot-wide corridor that extends east along Joy Ranch Road alignment for 3.3
10 miles from 211th Avenue to approximately 0.3 mile east of the 187th Avenue
11 alignment. The corridor width includes 1,500 feet north of the centerline of the Joy
12 Ranch Road alignment.

- 13 5. At page 5, lines 20 through 24, substitute with the following language:

14 A corridor up to 2,640 feet wide that extends east along the Joy Ranch Road alignment
15 for approximately 1.7 miles to the 171st Avenue alignment. The entire corridor is
16 located south of the centerline of SR 74 and north of the centerline of the Joy Ranch
17 Road alignment, with a maximum width up to 2,640 feet north of the centerline of the
18 Joy Ranch Road alignment.

- 19 6. At page 5, lines 25 and 26 and at page 6, lines 1 through 4, substitute with the
20 following language:

21 A 1,500 foot-wide corridor on the south side of SR 74 that extends east along SR 74
22 for approximately 1.6 miles from 0.5 mile west of the 171st Avenue alignment to the
23 163rd Avenue alignment. The corridor width includes 1,500 feet south of the existing
24 SR 74 centerline. The corridor excludes the property designated Village 'E' in the
25 record (Exhibit DV-13, slide 7L) west of the centerline of the 163rd Avenue alignment
26 and south of SR 74.

- 27 7. At page 7, lines 3 through 7, substitute with the following language:

28 A corridor up to 2,000 feet wide that extends southeast for approximately 1.0 mile

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adjacent to the existing Western Area Power Administration (“WAPA”) 230kV transmission line corridor. The corridor width includes 2,000 feet west of the existing WAPA 230kV transmission line right-of-way corridor.

8. Page 7 is amended to insert a new subsection at line 8 as follows:

- A 2,640 foot-wide corridor that extends east for up to 0.8 mile along the centerline of the Cloud Road alignment from the existing WAPA 230kV transmission line corridor. The corridor width includes 2,640 feet north of the centerline of the Cloud Road alignment from the WAPA transmission line corridor to the eastern section boundary line of Section 33.

IT IS FURTHER ORDERED that Condition No. 3 is amended as follows:

This authorization to construct the 500kV circuit of the Project shall expire on March 17, 2021 and this authorization to construct the 230kV circuit of the Project shall expire on March 17, 2030, unless the specified circuit is capable of operation within the respective time frame; provided, however, that prior to either such expiration, the Applicant or its assignees may request that the Commission extend this time limitation.

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IT IS FURTHER ORDERED that all other provisions of Decision No. 70850 remain in full force and effect.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

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 the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____ 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
SMH:tv

1 SERVICE LIST FOR: ARIZONA PUBLIC SERVICE COMPANY

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

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