

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION

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AZ CORP COMMISSION
DOCKET CONTROL

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT FOR APPROVAL OF A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY FOR PORTIONS OF THE PRICE ROAD CORRIDOR PROJECT THAT TRAVERSE NON-TRIBAL LANDS FOR A NEW 230 KILOVOLT TRANSMISSION LINE FROM THE SCHRADER SUBSTATION TO THE GILA RIVER INDIAN COMMUNITY BOUNDARY.

CASE NO. 170

Docket No. L-00000B-15-0059-00170

NOTICE OF FILING SAMPLE FORMS OF ORDER FOR CASE NO. 170

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 29th day of April, 2015.

Charles H. Hains
 Attorney
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007
 (602) 542-3402

Arizona Corporation Commission

DOCKETED

APR 29 2015

DOCKETED BY	
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1 **Original and thirteen (13)**
2 **copies of the foregoing filed this**
3 **29th day of April, 2015 with:**

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

6 **Copies of the foregoing mailed this**
7 **29th day of April, 2015 to:**

7 John Foreman, Chairman
8 Office of the Attorney General
9 Arizona Power Plant and Transmission
10 Line Siting Committee
11 1275 West Washington Street
12 Phoenix, Arizona 85007

11 Kenneth C. Sundlof Jr., Esq.
12 JENNINGS, STROUSS & SALMON
13 One East Washington Street, Suite 1900
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15 Attorneys for Applicant

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28 By Monica A. Mark

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION
OF SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT &
POWER DISTRICT FOR APPROVAL OF A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY FOR PORTIONS OF THE
PRICE ROAD CORRIDOR PROJECT THAT
TRAVERSE NON-TRIBAL LANDS FOR A
NEW 230 KILOVOLT TRANSMISSION
LINE FROM THE SCHRADER
SUBSTATION TO THE GILA RIVER
INDIAN COMMUNITY BOUNDARY.

CASE NO. 170

Docket No. L-00000B-15-0059-00170

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
May 12 and 13, 2015
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.

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

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

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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 _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER
DISTRICT
2 DOCKET NO. L-00000B-15-0059-00170

3
4 John Foreman, Chairman
Arizona Power Plant and Transmission
Line Sitting Committee
5 Office of Attorney General
1275 West Washington Street
6 Phoenix, Arizona 85007

7 Kenneth C. Sundlof Jr., Esq.
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9 Attorneys for Applicant

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12 Attorneys for Germann Road Homeowners

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16 Attorneys for the City of Chandler

17 Kay Bigelow, City Attorney
CHANDLER CITY ATTORNEY'S OFFICE
P.O. Box 4008, MS602
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19 Co-Counsel for the City of Chandler

20 Patrick J. Black, Esq.
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2394 East Camelback Road, Suite 600
21 Phoenix, Arizona 85016-3429
22 Attorneys for Sun Lakes Homeowners
Association

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION
9 OF SALT RIVER PROJECT
10 AGRICULTURAL IMPROVEMENT &
11 POWER DISTRICT FOR APPROVAL OF A
12 CERTIFICATE OF ENVIRONMENTAL
13 COMPATIBILITY FOR PORTIONS OF THE
14 PRICE ROAD CORRIDOR PROJECT THAT
15 TRAVERSE NON-TRIBAL LANDS FOR A
16 NEW 230 KILOVOLT TRANSMISSION
17 LINE FROM THE SCHRADER
18 SUBSTATION TO THE GILA RIVER
19 INDIAN COMMUNITY BOUNDARY.

Docket No. L-00000B-15-0059-00170

Case No. 170

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.)

15 Open Meeting
16 May 12 and 13, 2015
17 Phoenix, Arizona

18 **BY THE COMMISSION:**

19 Pursuant to A.R.S. § 40-360, *et seq.*, after due consideration of all relevant matters, the
20 Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of
21 Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line
22 Siting Committee ("Siting Committee") is hereby approved as modified by this Order.

23 The Commission, in reaching its decision, has balanced all relevant matters in the broad
24 public interest, including the need for an adequate, economical and reliable supply of electric power
25 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
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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:

4 The Commission further finds and concludes that in balancing the broad public interest in this
5 matter:

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

CHAIRMAN	COMMISSIONER
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 _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER
DISTRICT
2 DOCKET NO. L-00000B-15-0059-00170

3
4 John Foreman, Chairman
Arizona Power Plant and Transmission
Line Sitting Committee
5 Office of Attorney General
1275 West Washington Street
6 Phoenix, Arizona 85007

7 Kenneth C. Sundlof Jr., Esq.
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8 One East Washington Street, Suite 1900
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22 Attorneys for Sun Lakes Homeowners
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION
9 OF SALT RIVER PROJECT
10 AGRICULTURAL IMPROVEMENT &
11 POWER DISTRICT FOR APPROVAL OF A
12 CERTIFICATE OF ENVIRONMENTAL
13 COMPATIBILITY FOR PORTIONS OF THE
14 PRICE ROAD CORRIDOR PROJECT THAT
15 TRAVERSE NON-TRIBAL LANDS FOR A
16 NEW 230 KILOVOLT TRANSMISSION
17 LINE FROM THE SCHRADER
18 SUBSTATION TO THE GILA RIVER
19 INDIAN COMMUNITY BOUNDARY.

CASE NO. 170

Docket No. L-00000B-15-0059-00170

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.)

15 Open Meeting
16 May 12 and 13, 2015
17 Phoenix, Arizona

18 **BY THE COMMISSION:**

19 Pursuant to A.R.S. § 40-360, *et seq*, after due consideration of all relevant matters, the
20 Arizona Corporation Commission ("Commission") finds and concludes that the above-captioned
21 Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is not in the
22 public interest and therefore the CEC issued by the Arizona Power Plant and Transmission Line
23 Siting Committee ("Siting Committee") is hereby denied by this Order.

24 The Commission, in reaching its decision, has balanced all relevant matters in the broad
25 public interest, including the need for an adequate, economical and reliable supply of electric power
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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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**THE CEC ISSUED BY THE SITING COMMITTEE IS
INCORPORATED HEREIN AND IS DENIED 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 _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER
DISTRICT
2 DOCKET NO. L-00000B-15-0059-00170

3
4 John Foreman, Chairman
Arizona Power Plant and Transmission
Line Sitting Committee
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