

OPEN MEETING AGENDA ITEM ORIGINAL



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



JODI JERICH  
Executive Director

ARIZONA CORPORATION COMMISSION

October 16, 2015

To: Docket Control

RE: SunZia Transmission LLC - Petition  
Docket No. L-00000YY-15-0318-00171

Please docket the attached 5 customer signatures representing 5 households IN  
OPPOSITION OF the above filed line siting.

Customer comments can be reviewed in E-docket under the above docket number.

Filed by: Utilities Division - Consumer Services

Arizona Corporation Commission  
DOCKETED  
DEC 21 2015

DOCKETED BY

RECEIVED  
2015 DEC 21 P 2:50  
AZ CORP COMMISSION  
DOCKET CONTROL

L-00000YY-15-0318-00171

**Arizona Corporation Commission  
Utilities Complaint Form**

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**Investigator:** Tom Davis      **Phone:** <<< REDACTED >>>      **Opinion Date:** 11/16/2015  
**Opinion Number:** 2015 - 127399      **Priority:** Respond within 5 business days  
**Opinion Codes:** Other - misc line siting      **Closed Date:** 11/16/2015 12:52 PM

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**First Name:** William      **Last Name:** Radke      **Account Name:** William Radke  
**Address:** <<< REDACTED >>>  
**City:** Douglas      **State:** AZ      **Zip Code:** 85608  
**Cell:** <<< REDACTED >>>

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**Company:** SunZia Transmission, LLC

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**Nature Of Opinion**

**Docket Number:** L-00000YY-15-0318-00171

**Docket Position:** Against

The actual purpose and need for the proposed SunZia power distribution line needs to be seriously questioned, as it does not fit the purpose and needs that were originally stated by proponents. Additionally, this project was originally pitched as part of a "green power source" project which is not accurate and is actually disingenuous and misleading. As a proposed merchant line, there is currently no real demand for the power distribution, and the route is being pushed for speculative reasons rather than because there is an actual demand for the project. Finally, much of the route will negatively impact the Lower San Pedro River which is an important flyway and wildlife corridor recognized by the U.S. Department of the Interior as internationally important and deserving of special protection status. The environmental damage that will occur, and the environmental services that will be hampered by this proposed project, are not worth the stated economic gain from this project.

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<b>Investigation</b>			
<b>Date:</b>	<b>Analyst:</b>	<b>Submitted By:</b>	<b>Type:</b>
11/16/2015	Tom Davis	Other	Investigation

Entered for the record and docketed. CLOSED

L-00000YY-15-0318-00171

**Arizona Corporation Commission  
Utilities Complaint Form**

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**Investigator:** Tom Davis      **Phone:** <<< REDACTED >>>      **Opinion Date:** 11/16/2015  
**Opinion Number:** 2015 - 127395      **Priority:** Respond within 5 business days  
**Opinion Codes:** Other - misc line siting      **Closed Date:** 11/16/2015 9:06 AM

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**First Name:** Anna      **Last Name:** Lands      **Account Name:** Anna Lands  
**Address:** <<< REDACTED >>>  
**City:** Benson      **State:** AZ      **Zip Code:** 85602  
**Home:** <<< REDACTED >>>      **Email:** <<< REDACTED >>>

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**Company:** SunZia Transmission, LLC

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**Nature Of Opinion**

**Docket Number:** L-00000YY-15-0318-00171      **Docket Position:** Against

Just so this part does not go unnoticed: It should be known that of the \$47 M that SunZia claims to have spent, a significant portion has been spent on lobbying as noted at <http://www.cascabelworkinggroup.org/Rpts25.html> and at <http://www.cascabelworkinggroup.org/SZthoughts.html>. Information missing are campaign contributions and "memberships" in economic development / business groups. Only State and Federal lobbying activities are recorded, not County, Cities and Towns, nor local groups. I notice when an elected official or a representative of an 'economic development group' supports a project that I know has received financial support. It doesn't stand to reason that a 'needed' project would feel the need to purchase its way to acceptance.

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<b>Investigation</b>			
<b>Date:</b>	<b>Analyst:</b>	<b>Submitted By:</b>	<b>Type:</b>
11/16/2015	Tom Davis	Other	Investigation

Entered for the record and docketed. CLOSED

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L-00000YY-15-0318-00171

## Arizona Corporation Commission Utilities Complaint Form

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**Investigator:** Richard Martinez    **Phone:** <<< REDACTED >>>    **Opinion Date:** 10/5/2015  
**Opinion Number:** 2015 - 125751    **Priority:** Respond within 5 business days  
**Opinion Codes:** Other - misc line siting    **Closed Date:** 11/27/2015 4:15 PM

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**First Name:** Edward    **Last Name:** DePalma    **Account Name:** Edward DePalma  
**Address:** <<< REDACTED >>>  
**City:** Benson    **State:** AZ    **Zip Code:** 85602  
**Home:** <<< REDACTED >>>    **Email:** <<< REDACTED >>>

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**Company:** SunZia Transmission, LLC

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### Nature Of Opinion

**Docket Number:** L-00000YY-15-0318-00171    **Docket Position:** Against

Running the SunZia project through the San Pedro River Valley is a terrible idea, and will result in dramatic environmental degradation to one of the few remaining healthy riparian systems in the American Southwest. This planned project is a terrible idea for many reasons, among them: -The valley has been the focus of major federal, state, corporate and private conservation efforts for four decades, with nearly \$50 million invested in lower San Pedro Valley conservation and more than 200,000 acres protected. -The SunZia Project would fragment the wildest and most intact section of the San Pedro Valley. -No western state needs to import renewable energy to meet needs – the stated purpose of the project – now or in the future, even California. -SunZia would damage, not enhance, Arizona's ability to develop and export its own solar resources by using vital central Arizona transmission capacity to deliver New Mexico energy to California. No SunZia!

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### Investigation

<b>Date:</b>	<b>Analyst:</b>	<b>Submitted By:</b>	<b>Type:</b>
10/5/2015	Richard Martinez	Telephone	Investigation

Comments entered for the record and filed with Docket Control.

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L-00000YY-15-0318-00171

**Arizona Corporation Commission  
Utilities Complaint Form**

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**Investigator:** Jenny Gomez      **Phone:** <<< REDACTED >>>      **Opinion Date:** 12/3/2015  
**Opinion Number:** 2015 - 127589      **Priority:** Respond within 5 business days  
**Opinion Codes:** Rate Case Items - Opposed      **Closed Date:** 12/3/2015 3:30 PM

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**First Name:** CWG      **Last Name:** Unknown      **Account Name:** CWG Unknown  
**Address:**  
**City:**      **State:**      **Zip Code:**

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**Company:** SunZia Transmission, LLC

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**Nature Of Opinion**

**Docket Number:** L-00000YY-15-0318-00171      **Docket Position:** Against

November 30,2015  
Arizona Corporation Commission  
Attention Mr. Thomas Broderick  
Utilities Division  
1200 W. Washington Street  
Phoenix., AZ 85007

**Subject:** Docket Number L-00000YY-15-0318-00171

Deny Sunzia its Certificate

Dear Mr. Broderick or other Utility Staff Member:

There is no need for Sunzia in the state of Arizona so please deny the CEC. It is managed by an immoral company as evidenced in the attached history of Tom Wray in prior CEC cases in front of the ACC. No Arizona utility has shown any need for the Project. Sunedison, Sunzia's anchor tenant, is insolvent and is likely to declare bankruptcy further undermining the projects relevance to Arizona. If the project must be approved it needs to be made smaller than 3000 MW routing through Tucson protecting future generations from immitigable environmental damage.

There is no balance of need versus the environment with Sunzia.

L-00000YY-15-0318-00171

**Arizona Corporation Commission  
Utilities Complaint Form**

Sincerely,

CWG member frightened of reprisal from a lawless company

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March 29, 2002

Commissioner Wiliam A. Mundell  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007-2996

RE: Toltec Power Station (Case Number 112 and 113)  
Bowie Power Station (Case Number 118)

Dear Commissioner Mundell:

The purpose of this letter is to advise you that the environmental firm that prepared the Certificate of Environmental Compatibility application for Toltec and Bowie is owned by one of the owners of Toltec and Bowie. The environmental firm is EPG, Inc. (ACC company 0885136-2) whose President and CEO is Garlyn Bergdale. Garlvn Bergdale is also the general manager of WGP Consultants II LLC (ACC LLC L-09500862), a company that stands to make a substantial amount of money upon the construction of Toltec and Bowie - as showh in the enclosed document. I feel that there is an inherent conflict of interest in the firm preparing the environmental assessment being an owner of the project and hope that you will investigate this matter further.

.Sincerely,

Concerned citizen

Cc: Max Jarman,Arizona Republic

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**Arizona Corporation Commission  
Utilities Complaint Form**

MINUTES OF A SPECIALMEETING  
OF THE MEMBERS OF SOUTHWESTERRN  
POWER GROUP, II, LLC

A special meeting of the members of Southwestern Power Group II, LLC, (SWPG II) was held at 4350 East Camelback Road, Suite B150 Phoenix, AZ 85018, on the 21st day of February, 2001. Present and in attendance were the following Members; MMR Power Group, LLC, through its General Manager, James B. Rutland; WGP Consultants II, LLC, through its General Manager, Garlyn Bergsdale; MARCO Power Group, LLC, through its General Manager, Maurice C. Richard; and Papago Power Group, LLC, through its General Manager, Tom Wray

WHEREAS, due to the greater dilution of ownership interests of the members below, it is hereby:

RESOLVED, that, upon a sale, disposal, encumbrance, mortgage, or lease of a substantial percentage of SWPG it's assets and/or any of its projects, MMR Power Group, LLC and WGP Consultants II, LLC are to receive the following:

A. A Continued Financial Interest in Toltec on the Basis Shown Below:

A cash payment of \$5,000,000 at financial closing

A cash payment of \$5,000,000 at commercial operations

B. A Continued Financial Interest in Bowie on the Bases Shown Below:

A cash payment of \$2,500,000 at financial closing

A cash payment of \$2,500,000 at commercial operations

C. A Continued Financial Interest in Pyramid Lake on the Basis Shown Below:

A cash paymat of \$2,5000,000 at financial closing.

A cash payment of \$2,500,000 at commercial operations

If any of the above projects do not reach financial closing, the next project to reach financial closing will owe MMR Power Group, LLC and WGP Consultants, II, LLC, \$5,000,000 at financial closing until MMR Power Group, LLC is paid \$20,000,000 in development fees.

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**Arizona Corporation Commission  
Utilities Complaint Form**

MMR Power Group, LLC will receive 75.385% and WGP Consultants II, LLC will receive 24.615% of the combined total cash payments referred to above.

There being no further business, the meeting was adjourned.

CERTIFICATE

I Tom Wray, do hereby certify that I am the Secretary and Keeper of the Records of Southwester Power Group II, LLC, and that the foregoing is a true and correct representation of the events of the meeting described hereinabove on the 21st day of February, 2001.

IN WITNESS WHEREOF, I have affixed my name as Secretary on this 21st day of February, 2001.

SOUTHWESTERN POWER GROUP II. LLC

By:

TOM Wray, Secretary

\*\*\*\*\*

ARIZONA CORPORATION COMMISSION

April 10, 2002

Via facsimile at 520-747-1550 and first class mail

Lawrence V. Robertson, Jr., Esq

Manger Chadwick, P.L.C.

333 N. Wilmont. Suite. 300

L-00000YY-15-0318-00171

**Arizona Corporation Commission  
Utilities Complaint Form**

Tucson, AZ 85711

Re: Toltec (Case# 112 and 113) and Bowie (case # 118)

Dear Mr. Robertson:

I recently received the attached letter and the February 21, 2001 minutes of the Southwest Power Group II, LLC board of directors meeting from an anonymous sender. Both have been filed with Docket Control in the relevant dockets. I am surprised and concerned to learn of the possible conflict of interest of witnesses in these cases. In my view, it is imperative that any questions that implicate the proceedings before the Power Plant and Line Siting Committee and the Commission be resolved as soon as possible.

Accordingly, please disclose all financial interests of all of applicant witnesses in these cases and all interests of their employers and supervisors. Also please include a specific disclosure of all interests of Mr. Bergdale. Additionally, indicate if such interests were disclosed in the record, and if they were disclosed, provide a citation to the record. Additionally, please disclose the complete ownership structure of Southwest Power Group II, LLC, including disclosure of all the ownership of (1) all entities that have an interest in Southwest Power Group II, LLC or (2) any entity that has an ownership interest in Southwest Power Group II, LLC or (3) any entity that has interest in any other entity that has a direct or remote ownership interest in Southwest Power Group II, LLC.

Lastly, please verify the accuracy of the above-referenced Southwest Power Group II LLC board minutes.

Please respond to this letter within ten days and file a copy of your response with Docket Control.

Sincerely,

William A Mundell

L-00000YY-15-0318-00171

**Arizona Corporation Commission**  
**Utilities Complaint Form**

Chairman

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<b>Investigation</b>			
<b>Date:</b>	<b>Analyst:</b>	<b>Submitted By:</b>	<b>Type:</b>
12/3/2015	Jenny Gomez	Telephone	Investigation
Noted and filed for the record in Docket Control. Closed			

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