

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION



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COMMISSIONERS

DOUG LITTLE - CHAIRMAN
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2016 OCT 3 AM 11 38

IN THE MATTER OF THE APPLICATION OF
WHITE WING RANCH NORTH, LLC, IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES 40-360-.03
AND 40.360.06, FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF THE
WHITE WING GEN-TIE PROJECT, AN
APPROXIMATELY 3.5-MILE GEN-TIE
TRANSMISSION LINE AND ASSOCIATED
SUBSTATION FACILITIES
INTERCONNECTING TO THE EXISTING
HOODOO WASH SUBSTATION
APPROXIMATELY 10 MILES NORTH AND 3
MILES EAST OF DATELAND, YUMA
COUNTY, ARIZONA.

CASE NO. 172

DOCKET NO. L-00000ZZ-16-0269-00172

**NOTICE OF FILING SAMPLE FORMS
OF ORDER FOR CASE NO. 172**

Arizona Corporation Commission

DOCKETED

OCT 03 2016

DOCKETED BY

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.

The matter has not yet been scheduled for consideration by the Commission at an Open Meeting. However, the Commission may schedule this matter for consideration at an Open Meeting scheduled for January 2016. Parties are advised to regularly check the Commission's web page for

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1 the Open Meeting agendas at <http://www.azcc.gov/Divisions/Administration/Meetings/>.

2
3 RESPECTFULLY SUBMITTED this 3rd day of October, 2016.

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7 Charles H. Hains, Attorney
8 Arizona Corporation Commission
9 1200 West Washington Street
10 Phoenix, Arizona 85007
11 (602) 542-3402

12 On this 3rd day of October, 2016, the foregoing document was filed with Docket Control as an
13 Utilities Division Notice of Filing - Miscellaneous, and copies of the foregoing were mailed on behalf
14 of the Utilities Division to the following who have not consented to email service. On this date or as
15 soon as possible thereafter, the Commission's eDocket program will automatically email a link to the
16 foregoing to the following who have consented to email service.

17 Jay I. Moyes
18 MOYES SELLERS & HENDRICKS, LTD
19 1850 North Central Avenue, Ste. 1100
20 Phoenix Arizona 85004

21 Janice Alward
22 ARIZONA CORPORATION
23 COMMISSION
24 1200 West Washington Street
25 Phoenix Arizona 85007

26 Chairman Thomas Chenal
27 Arizona Power Plant &
28 Transmission Line Siting
Committee
Attorney General's Office
1275 West Washington Street
Phoenix, Arizona 85007

29 Thomas Broderick
30 ARIZONA CORPORATION COMMISSION
31 1200 West Washington Street
32 Phoenix Arizona 85007

33 By: Roseann Osorio
34 Roseann Osorio
35 Executive Legal Assistant

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 DOUG LITTLE - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 TOM FORESE
7 ANDY TOBIN

8 IN THE MATTER OF THE APPLICATION
9 OF WHITE WING RANCH NORTH, LLC, IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES 40-360-.03 AND 40.360.06, FOR
13 CERTIFICATE OF ENVIRONMENTAL
14 COMPATIBILITY AUTHORIZING
15 CONSTRUCTION OF THE WHITE WING
16 GEN-TIE PROJECT, AN APPROXIMATELY
17 3.5-MILE GEN-TIE TRANSMISSION LINE
18 AND ASSOCIATED SUBSTATION
19 FACILITIES INTERCONNECTING TO THE
20 EXISTING HOODOO WASH SUBSTATION
21 APPROXIMATELY 10 MILES NORTH AND
22 3 MILES EAST OF DATELAND, YUMA
23 COUNTY, ARIZONA.

CASE NO. 172

DOCKET NO. L-00000ZZ-16-0269-00172

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.)

15 Open Meeting
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

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

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

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

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

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1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE
3 ARIZONA CORPORATION COMMISSION
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6 CHAIRMAN

COMMISSIONER

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8 COMMISSIONER

COMMISSIONER

COMMISSIONER

9
10 IN WITNESS WHEREOF, I, JODI JERICH, Executive
11 Director of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of
14 Phoenix, this _____ day of _____,
15 2016.

16 _____
JODI JERICH
EXECUTIVE DIRECTOR

17 DISSENT: _____

18 DISSENT: _____
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1 SERVICE LIST FOR: WHITE WING RANCH NORTH, LLC
2 DOCKET NO. L-00000ZZ-16-0269-00172

3 Chairman Thomas Chenal
4 Arizona Power Plant & Transmission
5 Line Siting Committee
6 Attorney General's Office
7 1275 West Washington Street
8 Phoenix, Arizona 85007
9 thomas.chenal@azag.gov

10 Jay I. Moyes
11 MOYES SELLERS & HENDRICKS, LTD
12 1850 N. Central Ave. - 1100
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14 Janice Alward
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16 1200 W. Washington
17 Phoenix Arizona 85007

18 Thomas Broderick
19 ARIZONA CORPORATION COMMISSION
20 1200 W. Washington St.
21 Phoenix Arizona 85007

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 DOUG LITTLE - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 TOM FORESE
7 ANDY TOBIN

8 IN THE MATTER OF THE APPLICATION
9 OF WHITE WING RANCH NORTH, LLC, IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES 40-360-.03 AND 40.360.06, FOR
13 CERTIFICATE OF ENVIRONMENTAL
14 COMPATIBILITY AUTHORIZING
15 CONSTRUCTION OF THE WHITE WING
16 GEN-TIE PROJECT, AN APPROXIMATELY
17 3.5-MILE GEN-TIE TRANSMISSION LINE
18 AND ASSOCIATED SUBSTATION
19 FACILITIES INTERCONNECTING TO THE
20 EXISTING HOODOO WASH SUBSTATION
21 APPROXIMATELY 10 MILES NORTH AND
22 3 MILES EAST OF DATELAND, YUMA
23 COUNTY, ARIZONA.

CASE NO. 172

DOCKET NO. L-00000ZZ-16-0269-00172

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 Phoenix, Arizona

17 **BY THE COMMISSION:**

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

22 The Commission, in reaching its decision, has balanced all relevant matters in the broad
23 public interest, including the need for an adequate, economical and reliable supply of electric power
24 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

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 _____, 2016.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: WHITE WING RANCH NORTH, LLC
2 DOCKET NO. L-00000ZZ-16-0269-00172

3
4 Chairman Thomas Chenal
5 Arizona Power Plant & Transmission
6 Line Siting Committee
7 Attorney General's Office
8 1275 West Washington Street
9 Phoenix, Arizona 85007
10 thomas.chenal@azag.gov

11 Jay I. Moyes
12 MOYES SELLERS & HENDRICKS, LTD
13 1850 N. Central Ave. - 1100
14 Phoenix Arizona 85004

15 Janice Alward
16 ARIZONA CORPORATION COMMISSION
17 1200 W. Washington
18 Phoenix Arizona 85007

19 Thomas Broderick
20 ARIZONA CORPORATION COMMISSION
21 1200 W. Washington St.
22 Phoenix Arizona 85007

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 DOUG LITTLE - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 TOM FORESE
7 ANDY TOBIN

7 IN THE MATTER OF THE APPLICATION
8 OF WHITE WING RANCH NORTH, LLC, IN
9 CONFORMANCE WITH THE
10 REQUIREMENTS OF ARIZONA REVISED
11 STATUTES 40-360-.03 AND 40.360.06, FOR
12 CERTIFICATE OF ENVIRONMENTAL
13 COMPATIBILITY AUTHORIZING
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20 APPROXIMATELY 10 MILES NORTH AND
21 3 MILES EAST OF DATELAND, YUMA
22 COUNTY, ARIZONA.

CASE NO. 172

DOCKET NO. L-00000ZZ-16-0269-00172

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 Phoenix, Arizona

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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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1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS DENIED BY ORDER OF THE
3 ARIZONA CORPORATION COMMISSION
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6 CHAIRMAN

COMMISSIONER

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8 COMMISSIONER

COMMISSIONER

COMMISSIONER

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10 IN WITNESS WHEREOF, I, JODI JERICH, Executive
11 Director of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of Phoenix,
14 this _____ day of _____, 2016.

15 _____
16 JODI JERICH
17 EXECUTIVE DIRECTOR

18 DISSENT: _____

19 DISSENT: _____
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1 SERVICE LIST FOR: WHITE WING RANCH NORTH, LLC
2 DOCKET NO. L-00000ZZ-16-0269-00172

3 Chairman Thomas Chenal
4 Arizona Power Plant & Transmission
5 Line Siting Committee
6 Attorney General's Office
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