

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

In the matter of the Application of Southline Transmission, L.L.C., in conformance with the requirements of Arizona Revised Statutes 40-360, et seq., for a Certificate of Environmental Compatibility authorizing construction of the non-WAPA-owned Arizona portions of the Southline Transmission Project, including a new approximately 66-mile 345-kV transmission line in Cochise County from the Arizona-New Mexico border to the proposed Southline Apache Substation, the associated facilities to connect the Southline Apache Substation to the adjacent AEPSCO Apache Substation, and approximately 5 miles of new 138-kV and 230-kV transmission lines and associated facilities to connect the existing Pantano, Vail, DeMoss Petrie, and Tortolita substations to the upgraded WAPA-owned 230-kV Apache-Tucson and Tucson-Saguaro transmission lines in Pima and Pinal counties

Docket No. L-00000AAA-16-0370-00173

Case No. 173

RECEIVED AZ CORP COMMISSION DOCKET CONTROL 2016 DEC - 5 - A 11: 03

OSBORN MALEDON A PROFESSIONAL ASSOCIATION ATTORNEYS AT LAW

NOTICE OF FILING

Pursuant to Paragraph 11 of Chairman Chenal's October 24, 2016 Procedural Order, Southline Transmission L.L.C. ("Southline") hereby files a copy of a December 3, 2016 email communication from Chairman Thomas Chenal regarding Southline's CEC conditions.

RESPECTFULLY SUBMITTED this 5th day of December, 2016.

OSBORN MALEDON PA

Arizona Corporation Commission

DOCKETED

DEC 05 2016

DOCKETED BY GB

By: Meghan H. Grabel, No. 021362 Kimberly A. Ruht, No. 027319 2929 North Central Ave. 21st Floor Phoenix, AZ 85012-2793 (602) 640-9399 (Telephone) mgrabel@omlaw.com kruht@omlaw.com

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

James M. Bushee (*admitted pro hac vice*)
Texas State Bar No. 24015071
James E. Guy (*admitted pro hac vice*)
Texas State Bar No. 24027061
Marty Hopkins (*admitted pro hac vice*)
Texas State Bar No. 24059970
SUTHERLAND ASBILL & BRENNAN LLP
600 Congress Avenue, Suite 2000
Austin, Texas 78701-3238
(512) 721-2700 (Telephone)
(512) 721-2656 (Facsimile)

Attorneys for Southline Transmission, L.L.C.

ORIGINAL and 25 copies filed
this 5th day of December, 2016, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPIES were hand-delivered to:

Jeffrey M. Hatch-Miller
Arizona Corporation Commission
Interim Dir Utilities
1200 W. Washington
Phoenix, AZ 85007

Janet Wagner
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPIES were delivered by U.S. Mail to:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Robert Lynch
340 E. Palm Lane, Ste 140
Phoenix, AZ 85004-4603

Cedric I. Hay, Deputy County Attorney
Pinal County Attorney's office
P.O. Box 887
Florence, AZ 85132

By: Patricia D. Palmer
6914900

Guy, James

From: Guy, James
Sent: Saturday, December 03, 2016 8:59 AM
To: 'Chenal, Thomas'
Cc: cedric.hay@pinalcountyaz.gov; rslynch@rslynchaty.com; todd@rslynchaty.com; tjackson@jacksonodenlaw.com
Subject: RE: Southline CEC Conditions

Thank you, Chairman Chenal. I have received your email, and will incorporate these conditions in Southline's draft CEC to be discussed next week and file this correspondence in the ACC docket in accordance with the Procedural Order.

Best regards,
James

James Guy | Partner | 512.721.2652

-----Original Message-----

From: Chenal, Thomas [<mailto:Thomas.Chenal@azag.gov>]
Sent: Friday, December 02, 2016 5:42 PM
To: Guy, James
Cc: cedric.hay@pinalcountyaz.gov; rslynch@rslynchaty.com; todd@rslynchaty.com; tjackson@jacksonodenlaw.com
Subject: Southline CEC Conditions

Mr. Guy,

As we discussed on the record today, please add the following conditions to Southline's proposed CEC showing the additions as tract changes. Some of the following conditions from other cases are included in part in Southline's proposed CEC conditions but the following contain additional language. Obviously you will need to change names and other make other minor changes but show all changes in tract change format:

Sunzia case no. 171- paragraphs 4,5,8, and 12,14,15,16,17,24,31,33,34,35,and 36.

White Wing case no. 172-paragraph 7.

Also, please include the following conditions in tract format where appropriate in Southline's proposed CEC:

"Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with the Commission's Docket Control, the Counties of Cochise, Pima and Pinal, the Cities of Tucson and Wilcox, and ASLD, SHPO and AGFD. Where practicable, the Plan shall specify the the Applicant use existing roads for construction and access, minimize impacts to wildlife, minimize vegetation disturbance outside of the Project ROW, and re-vegetate, unless re-vegetation is waived by the landowner, native areas following construction disturbance."

"This CEC is conditioned on WAPA owning and operating all of what is described in the Application as the Upgrade Section with the exception of what is described in the Application as the CEC Upgrade Route."

"Southline will provide a copy of this CEC to WAPA with the request that WAPA comply with any requirements set forth in any conditions in the CEC not otherwise applicable in the BLM ROW pursuant to the BLM ROD or POD."

"Southline will comply with all of its contractual obligations set forth in the Memorandum of Agreement dated _____ between Southline and AGFD."

"Southline will construct, operate and maintain all facilities, improvements and structures in what is described in the Application as the CEC New Build Route and the CEC Upgrade Route in conformity with all terms, conditions and stipulations set forth in the BLM and WAPA RODs and the NEPA POD, including all PCEMs."

Would you file a copy of this email with Docket Control in accordance with the Procedural Order as well.

Thank you.

Thomas Chenal

Sent from my iPad