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BEFORE THE ARIZONA POWER AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF PINAL CENTRAL ENERGY CENTER, LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360, ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE PINAL CENTRAL ENERGY CENTER 230KV GENERATION INTERTIE LINE PROJECT, WHICH INCLUDES THE CONSTRUCTION OF A GENERATION TIE-LINE ORIGINATING LESS THAN HALF A MILE TO THE SOUTHEAST OF THE PINAL CENTRAL SUBSTATION ON PRIVATE LAND UNDER THE JURISDICTION OF PINAL COUNTY AND THE CITY OF COOLIDGE, ARIZONA, AND TERMINATING IN THE PINAL CENTRAL SUBSTATION IN PINAL COUNTY, ARIZONA.

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DOCKET L-00000BBB-17-0073-00174

Case No. 174

Arizona Corporation Commission

DOCKETED

APR 10 2017

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CROCKETT LAW GROUP PLLC 2198 E. Camelback Road, Suite 305 Phoenix, Arizona 85016-4747

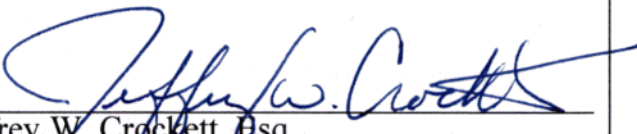
NOTICE OF FILING PROPOSED CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to Paragraph 21 of the Procedural Order dated March 23, 2017, Pinal Central Energy Center, LLC ("Applicant") is filing its proposed Certificate of Environmental Compatibility ("CEC"), including proposed conditions, findings of fact and conclusions of law. Attached for illustrative purposes is a sample Exhibit "A" to the CEC, which is Figure 2 of the Application. Applicant notes that Figure 2 will be replaced at or prior to the hearing with a simplified map without aerial images which shows only the proposed CEC corridor, a centerline for the gen-tie line, roads, canals, township, range and section lines. The proposed CEC will be identified as Exhibit PCE-7 at the hearing.

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RESPECTFULLY submitted this 10th day of April, 2017.

CROCKETT LAW GROUP PLLC

By: 
Jeffrey W. Crockett, Esq.
2198 E. Camelback Road, Suite 305
Phoenix, Arizona 85016

*Attorney for Pinal Central Energy Center,
LLC*

CERTIFICATION OF MAILING

ORIGINAL and 25 copies filed this 10th day of April, 2017, with:

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

COPY of the foregoing hand-delivered this 10th day of April, 2017, to:

Chairman Thomas Chenal
Arizona Power Plant and Transmission Line Siting Committee
ARIZONA ATTORNEY GENERAL'S OFFICE
1275 West Washington Street
Phoenix, Arizona 85007

Andy Kvesic, General Counsel and Director of the Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Elijah O. Abinah, Acting Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

1 COPY of the foregoing sent via e-mail and First Class U.S. Mail this 10th day of April,
2 2017, to:

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4 Of Counsel to MUNGER CHADWICK, PLC
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25 *Attorney for Potential Intervenor Lynda Williams*

26 COPY of the foregoing sent via First Class U.S. Mail this 10th day of April, 2017, to:

27 Douglas V. Fant, Esq.
28 LAW OFFICES OF DOUGLAS V. FANT
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Anthem, Arizona 85086
Attorney for Potential Intervenor SunZia Transmission, LLC

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COPY of the foregoing sent via e-mail this 10th day of April, 2017, to:

Marta T. Hetzer
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By: 

CROCKETT LAW GROUP PLLC
2198 E. Camelback Road, Suite 305
Phoenix, Arizona 85016-4747

**Applicant's Proposed Certificate of
Environmental Compatibility**

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**BEFORE THE ARIZONA POWER PLANT
AND TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION
OF PINAL CENTRAL ENERGY CENTER,
LLC, IN CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES §§ 40-360, *ET SEQ.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING THE
PINAL CENTRAL ENERGY CENTER
230KV GENERATION INTERTIE LINE
PROJECT, WHICH INCLUDES THE
CONSTRUCTION OF A GENERATION
TIE-LINE ORIGINATING LESS THAN
HALF A MILE TO THE SOUTHEAST OF
THE PINAL CENTRAL SUBSTATION ON
PRIVATE LAND UNDER THE
JURISDICTION OF PINAL COUNTY AND
THE CITY OF COOLIDGE, ARIZONA,
AND TERMINATING IN THE PINAL
CENTRAL SUBSTATION IN PINAL
COUNTY, ARIZONA.

**DOCKET L-00000BBB-17-0073-
00174**

Case No. 174

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CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

A. Introduction.

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held a public hearing on April 18 through April __, 2017, in Casa Grande, Arizona, in conformance with the requirements of the Arizona Revised Statute ("A.R.S.") §§ 40-360 *et seq.* for the purpose of receiving evidence and deliberating on the March 15, 2017, application ("Application") of Pinal Central Energy Center, LLC ("Applicant") for a Certificate of Environmental Compatibility ("Certificate") in the above-captioned case.

1 The following members and designees of members of the Committee were
2 present at one or more of the hearing days for evidentiary presentations, public
3 comment, and/or the deliberations:

4	Thomas Chenal	Chairman, Designee for Arizona
5		Attorney General
6	Ivan Drago	Designee for Director, Arizona
7		Department of Environmental Quality
8	Lisa Williams	Designee for Director, Arizona
9		Department of Water Resources
10	Laurie A. Woodall	Designee of the Chairman, Arizona
11		Corporation Commission
12		("Commission")
13	Gilbert Villegas	Appointed Member, representing the
14		general public
15	Jack Haenichen	Appointed Member, representing the
16		general public
17	Patricia A. Noland	Appointed Member, representing the
18		general public
19	Mary Hamway	Appointed Member, representing
20		incorporated cities and towns
21	James A. Palmer	Appointed Member, representing
22		counties
23	Russ Jones	Appointed Member, representing
24		agricultural interests

23 The Applicant was represented by Jeffrey W. Crockett of Crockett Law Group
24 PLLC. The following parties were granted intervention pursuant to A.R.S. § 40-
25 360.05: _____.

26 At the conclusion of the hearing, the Committee, after considering the
27 (i) Application, (ii) evidence, testimony, and exhibits presented by the Applicant and
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1 intervenors, and (iii) comments of the public, and being advised of the legal
2 requirements of A.R.S. §§ 40-360 through 40-360.13, upon motion duly made and
3 seconded, voted ____ to ____ to grant the Applicant, its successors and assigns, this
4 Certificate.

5 **B. Overview Project Description.**

6 The Pinal Central Energy Center Generation Tie-In Line project includes the
7 construction and operation of an approximately 0.40-mile 230 kilovolt (“kV”)
8 alternating current generation transmission tie-in line (“Gen-Tie”) and associated
9 substation facilities (“Project Substation”) to be constructed on approximately 0.34
10 acres of private land, with an additional 1-plus acres required for battery components
11 (collectively, the “Gen-Tie Project” or “Project”) in Pinal County, Arizona. The
12 proposed Gen-Tie Project is needed to deliver power from an adjacent, innovative
13 clean energy facility that will combine 20 megawatts (“MW”) of alternating current
14 solar photovoltaic generating capacity with a 10 MW/40 MW-hour advanced battery
15 storage system (collectively, the “Solar Facility”) to the existing Pinal Central
16 230/500kV Substation (“Pinal Central Substation”). The Solar Facility is the subject
17 of pending negotiations for a 20-year power purchase agreement between the
18 Applicant and an entity with an obligation to deliver power to Arizona residents.

19 The Applicant proposes to construct and operate the Gen-Tie Project in order
20 to deliver electricity generated by the Solar Facility to the regional electric
21 transmission grid. Although the Solar Facility is described in the Application, the
22 Applicant is seeking a Certificate only for the Gen-Tie and Project Substation. The 20
23 MW Solar Facility does not require a Certificate because it does not involve thermal
24 generation of energy and because it is below the jurisdictional threshold set forth in
25 the definition of a “plant” in A.R.S. § 40-360(9).

26 Interconnection of the Gen-Tie at the Pinal Central Substation will require the
27 additional and modification of equipment within the Pinal Central Substation
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1 footprint. This work would be performed by the Salt River Project Agricultural
2 Improvement and Power District ("SRP") as operating agent for the Pinal Central
3 Substation.

4 **C. Approved CEC Route Corridor and Route Description.**

5 The route for which the Applicant sought Committee approval is
6 approximately 0.40 miles in length and crosses private land controlled by the
7 Applicant and land within the existing Pinal Central Substation (the "CEC Route," as
8 more particularly defined in Exhibit A attached hereto). The proposed CEC Route
9 would originate at the Project Substation located in unincorporated Pinal County,
10 Arizona, near the intersection of 11-Mile Corner Road and State Route 287. The
11 proposed CEC Route would travel south and west approximately 0.40 miles across
12 private land from the Project Substation where it would then connect to the Pinal
13 Central Substation. Approximately 0.20 miles of the proposed CEC Route is situated
14 on private land controlled by the Applicant and generally running parallel to the fence
15 line of the Pinal Central Substation, which is less than 150 feet to the north. The other
16 approximately 0.20 miles of the CEC Route would be situated inside the Pinal Central
17 Substation.

18 A 100-foot wide right-of-way ("ROW") is approved for the CEC Route within
19 the corridor depicted on Exhibit A. The corridor is comprised of a combination of
20 parcels controlled by the Applicant or owners of the Pinal Central Substation and
21 identified by the Pinal County Assessor as Parcels 401-44-001H, 401-44-0060, 401-44-
22 0100 and 401-44-001B. The corridor is approved over all of the Applicant-controlled
23 private land to permit minor adjustments to the location of structures that may be
24 necessary to achieve site-specific mitigation objectives or meet site-specific
25 engineering requirements.

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2 **CONDITIONS**

3 This Certificate is granted upon the following conditions:

4 1. Applicant shall comply with all existing applicable statutes, ordinances,
5 master plans, and regulations of any governmental entity having jurisdiction during
6 the construction of the CEC Route, including the United States of America, the State
7 of Arizona, Pinal County and the City of Coolidge. [CEC Siting Cases Nos. 168, 169,
8 170, 171, 172, 173]

9 2. Applicant shall comply with the notice and salvage requirements of the
10 Arizona Native Plant Law (A.R.S. §§ 3-901, *et. seq.*) and shall, to the extent feasible,
11 minimize the destruction of native plants during CEC Route construction. [CEC
12 Siting Cases Nos. 168, 169, 170, 171, 172, 173]

13 3. Applicant shall design the Gen-Tie to incorporate reasonable measures
14 to minimize impacts to raptors. Such design will address the application of
15 recommended measures to minimize the risk of collision, as described in the 2012
16 guidelines of the Avian Power Line Interaction Committee. [CEC Siting Cases Nos.
17 168, 169, 170, 171, 172, 173]

18 4. Applicant shall make every reasonable effort to promptly investigate,
19 on a case-specific basis, all complaints of interference with radio or television signals
20 from operation of the Gen-Tie addressed in this Certificate and where such
21 interference is caused by the Gen-Tie take reasonable measures to mitigate such
22 interference. Applicant shall maintain written records for a period of five (5) years of
23 all complaints of radio or television interference attributable to operations, together
24 with the corrective action taken in response to each complaint. All complaints shall
25 be recorded to include notation on the corrective action taken. Complaints not leading
26 to a specific action or for which there was no resolution shall be noted and explained.
27 Upon request, the written records shall be provided to the Staff of the Commission.
28 Applicant shall respond to complaints and implement appropriate mitigation

1 measures. In addition, the Gen-Tie shall be evaluated on a regular basis so that
2 damaged insulators or other line materials that could cause interference are repaired
3 or replaced in a timely manner. [CEC Siting Case No. 173]

4 5. If human remains and/or funerary objects are encountered on private
5 land during the course of any ground-disturbing activities related to the construction
6 of the CEC Route, Applicant shall cease work on the affected area of the Project and
7 notify the Director of the Arizona State Museum as required by A.R.S. § 41-865. [CEC
8 Siting Cases Nos. 168, 169, 170, 171, 172, 173]

9 6. Within one hundred twenty (120) days of the Commission's decision
10 approving this Certificate, Applicant shall post signs in or near public ROWs giving
11 notice of the CEC Route to the extent authorized by law. Applicant shall place such
12 signs in prominent locations at reasonable intervals so that the public is notified along
13 the full length of the CEC Route until the Gen-Tie Project structures are constructed.
14 To the extent practicable, within forty-five (45) days of securing easements or ROWs
15 for the CEC Route, Applicant shall erect and maintain signs providing public notice
16 that the property is the site of a future transmission line or substation. Such signage
17 shall be no smaller than a roadway sign. The signs shall advise:

- 18 a. That the site has been approved for the construction of CEC Route
19 facilities;
- 20 b. The expected date of completion of the CEC Route facilities;
- 21 c. A phone number for public information regarding the Project;
- 22 d. The name of the Project; and
- 23 e. The name of the Applicant.

24 [CEC Siting Cases Nos. 168, 169, 170, 171, 172, 173]

25 7. Applicant shall follow the most current Western Electricity
26 Coordinating Council and North American Electric Reliability Corporation planning
27 standards, as approved by the Federal Energy Regulatory Commission, and National
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1 Electrical Safety Code construction standards. [CEC Siting Cases Nos. 168, 169, 170,
2 171, 172, 173]

3 8. Applicant shall provide the Commission Staff with copies of the
4 transmission interconnection agreement(s) it ultimately enters into with any
5 transmission provider(s) in Arizona with whom it is interconnecting within thirty (30)
6 days of execution of such agreement(s), with the summary thereof filed at Docket
7 Control, prior to construction of such facilities. [CEC Siting Case No. 173]

8 9. Applicant shall submit a compliance certification letter annually,
9 identifying progress made with respect to each condition contained in this Certificate,
10 including which conditions have been met. Each letter shall be submitted to
11 Commission's Docket Control commencing on [INSERT DATE]. Attached to each
12 certification letter shall be documentation explaining how compliance with each
13 condition was achieved. Copies of each letter, along with the corresponding
14 documentation, shall be submitted to the Arizona Attorney General and the
15 Governor's Office. The requirement for the compliance certification letter shall expire
16 on the date the CEC Route is placed into operation. Notification of such filing with
17 Docket Control shall be made to the Board of Supervisor for Pinal County, the City of
18 Coolidge, all parties to this Docket, and all parties who made a limited appearance in
19 this Docket. [CEC Siting Cases Nos. 170, 171, 172, 173]

20 10. Applicant shall provide a copy of this Certificate to the Board of
21 Supervisor for Pinal County and the City of Coolidge. [CEC Siting Cases Nos. 170,
22 171, 172, 173]

23 11. This authorization to construct the CEC Route shall expire 10 years from
24 the date this Certificate is approved by the Commission, with or without modification.
25 Construction of the Gen-Tie shall be complete, such that the Gen-Tie is in service
26 within the applicable timeframe. However, prior to the expiration of the time period,
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1 Applicant may request that the Commission extend the time limitation. [CEC Siting
2 Cases Nos. 168, 172, 173]

3 12. Any transfer or assignment of this Certificate shall require the assignee
4 or successor to assume in writing all responsibilities of Applicant listed in this
5 Certificate and its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of
6 the Arizona Administrative Code. [CEC Siting Cases Nos. 169, 170, 171, 172, 173]

7 13. In the event Applicant, its assignee, or successor, seeks to modify the
8 Certificate terms at the Commission, it shall provide copies of such request to the
9 Board of Supervisor for Pinal County, the City of Coolidge, all parties to this Docket,
10 and all parties who made a limited appearance in this Docket. [CEC Siting Case Nos.
11 171, 173]

12 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

13 This Certificate incorporates the following Findings of Fact and Conclusions of
14 Law:

15 1. The Project aids the state and the southwest region in meeting the need
16 for an adequate, economical, and reliable supply of electric power. [CEC Siting Cases
17 Nos. 168, 171, 172, 173]

18 2. The Project aids the state in preserving a safe and reliable electric
19 transmission system. [CEC Siting Cases Nos. 168, 171, 172, 173]

20 3. The conditions placed on the CEC Route in this Certificate effectively
21 minimize the CEC Route's impact on the environment and ecology of the state. [CEC
22 Siting Cases Nos. 168, 170, 171, 172, 173]

23 4. The conditions placed on the CEC Route in this Certificate resolve
24 matters concerning balancing the need for the Project with the CEC Route's impact on
25 the environment and ecology of the state arising during the course of the proceedings,
26 and, as such, serve as findings and conclusions on such matters. [CEC Siting Cases
27 Nos. 168, 171, 172, 173]

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5. The CEC Route is in the public interest because the Project's contribution to meeting the need for an adequate, economical, and reliable supply of electric power outweighs the minimized impact of the CEC Route on the environment and ecology of the state. [CEC Siting Cases Nos. 170, 171, 172, 173]

DATED this _____ day of April, 2017.

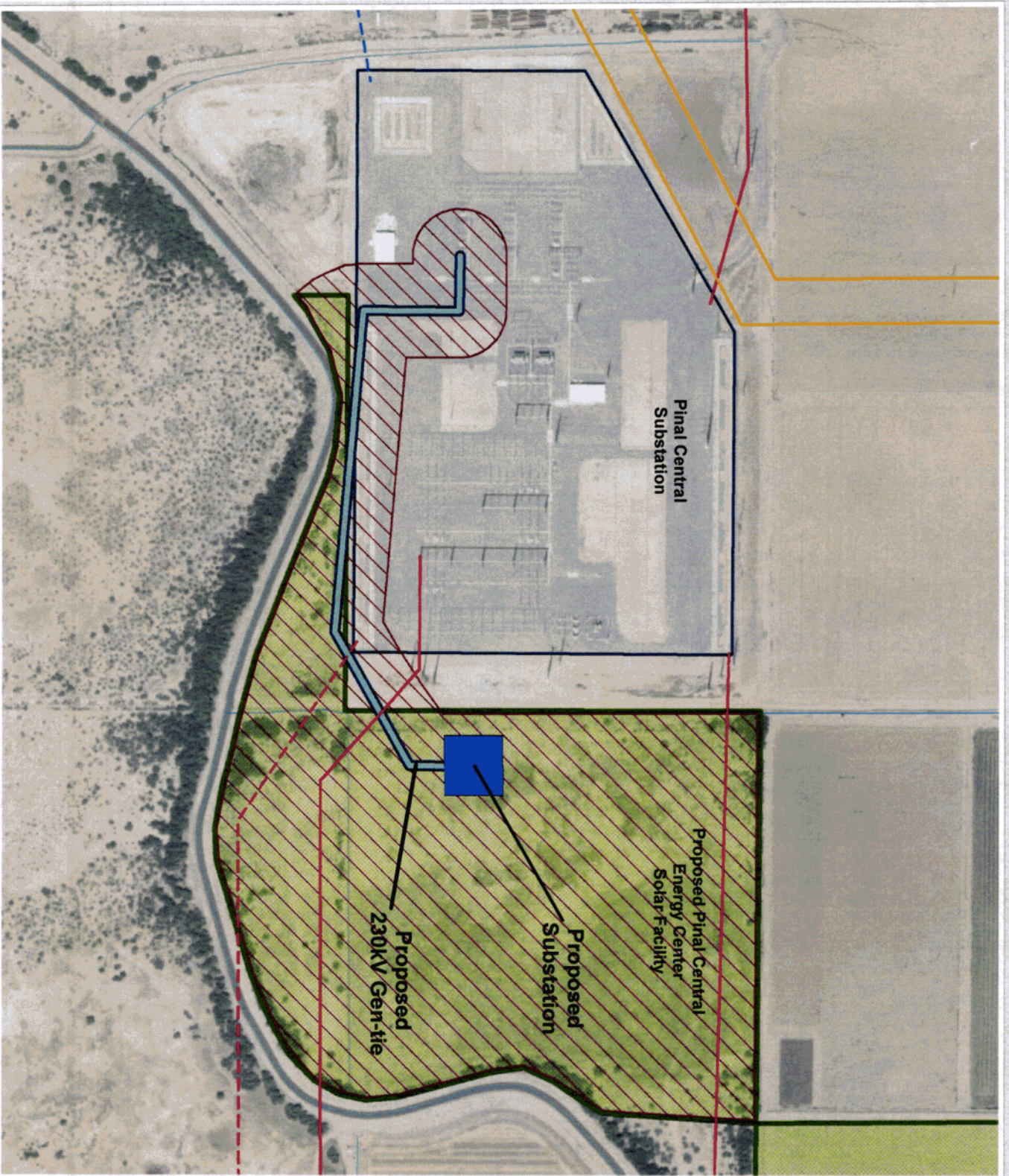
THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

By: _____
Thomas K. Chenal, Chairman

EXHIBIT A

Pinal Central Energy Center

Figure 2



Project Features

- Proposed 230KV Gen-tie
- Proposed Substation
- Proposed Gen-tie CEC Corridor

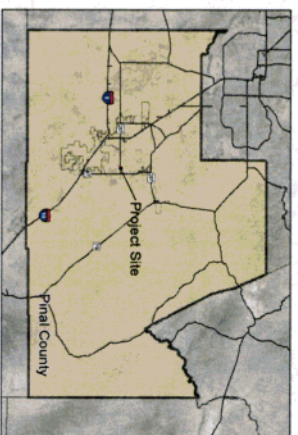
Electrical Features

- Pinal Central 230/500KV Substation
- 500KV Transmission Line
- 115KV Transmission Line
- Future Sundance to Pinal Central 230KV Transmission Line (Case #136)
- Future SunZia Southwest 500KV Transmission Lines (Case #171)
- Proposed Pinal Central Energy Center Solar Facility

Reference Features

- Canal/Ditch
- State Highway
- Streets

Regional Area Map



March 2017



Source: NAD 83 2017, ENR 2017, NAD 2011



TRANSMISSION AND SUBSTATION GEN-TIE