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Arizona Corporation Commission

BEFORE THE ARIZONA POWER PLANT

DOCKETED

AND TRANSMISSION LINE SITING COMMITTEE

APR 26 2017

DOCKETED BY *GB*

Docket No. L-00000BBB-17-0073-00174

Case No. 174

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

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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.

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 20, 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.

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

| | | |
|----|--------------------|---|
| 1 | Thomas Chenal | Chairman, Designee for Arizona Attorney General Mark Brnovich |
| 2 | | |
| 3 | Leonard Drago | Designee for Director, Arizona Department of Environmental Quality |
| 4 | | |
| 5 | Lisa Williams | Designee for Director, Arizona Department of Water Resources |
| 6 | Laurie A. Woodall | Designee of the Chairman, Arizona Corporation Commission (“Commission”) |
| 7 | | |
| 8 | Jack Haenichen | Appointed Member, representing the general public |
| 9 | Patricia A. Noland | Appointed Member, representing the general public |
| 10 | | |
| 11 | Mary Hamway | Appointed Member, representing incorporated cities and towns |
| 12 | | |
| 13 | James A. Palmer | Appointed Member, representing agricultural interests |
| 14 | Russ Jones | Appointed Member, representing the general public |
| 15 | | |

16 The Applicant was represented by Jeffrey W. Crockett of Crockett Law Group
17 PLLC. The following parties were granted intervention pursuant to A.R.S. § 40-360.05:
18 SunZia Transmission, LLC and Lynda S. Williams.

19 At the conclusion of the hearing, the Committee, after considering the
20 (i) Application, (ii) evidence, testimony, and exhibits presented by the Applicant and
21 intervenor, and (iii) comments of the public, and being advised of the legal requirements of
22 A.R.S. §§ 40-360 through 40-360.13, upon motion duly made and seconded, voted nine to
23 zero to grant the Applicant, its successors and assigns, this Certificate.

24 **B. Overview Project Description.**

25 The Pinal Central Energy Center Generation Tie-In Line project includes the
26 construction and operation of an approximately 0.40-mile 230 kilovolt (“kV”) alternating
27 current generation transmission tie-in line (“Gen-Tie”) and associated substation facilities
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1 (“Project Substation”) to be constructed on approximately 0.34 acres of private land, with
2 an additional 1-plus acres required for battery components (collectively, the “Gen-Tie
3 Project” or “Project”) in Pinal County, Arizona. The proposed Gen-Tie Project is needed to
4 deliver power from a proposed adjacent, innovative clean energy facility that will combine
5 20 megawatts (“MW”) of solar photovoltaic generating capacity with a 10 MW/40 MW-
6 hour advanced battery storage system (collectively, the “Solar Facility”) to the existing
7 Pinal Central 230/500kV Substation (“Pinal Central Substation”). The Solar Facility has a
8 20-year power purchase agreement between the Applicant and Salt River Project
9 Agricultural Improvement and Power District (“SRP”).

10 The Applicant proposes to construct and operate the Gen-Tie Project in order to
11 deliver electricity generated by the Solar Facility to the regional electric transmission grid.
12 Although the Solar Facility is described in the Application, the Applicant is seeking a
13 Certificate only for the Gen-Tie and Project Substation. The 20 MW Solar Facility does not
14 require a Certificate because it does not involve thermal generation of energy and because it
15 is below the jurisdictional threshold set forth in the definition of a “plant” in A.R.S. § 40-
16 360(9).

17 Interconnection of the Gen-Tie at the Pinal Central Substation will require the
18 addition and modification of equipment within the Pinal Central Substation footprint. This
19 work would be performed by SRP as operating agent for the Pinal Central Substation.

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

21 The route for which the Applicant sought Committee approval is approximately
22 0.40 miles in length and crosses private land controlled by the Applicant and land within
23 the existing Pinal Central Substation (the “CEC Route,” as more particularly defined in
24 Attachment A hereto). The proposed CEC Route would originate at the Project Substation
25 located in unincorporated Pinal County, Arizona, near the intersection of 11-Mile Corner
26 Road and State Route 287. The proposed CEC Route would travel south and west
27 approximately 0.40 miles across private land from the Project Substation where it would
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1 then connect to the Pinal Central Substation. Approximately 0.20 miles of the proposed
2 CEC Route is situated on private land controlled by the Applicant and generally running
3 parallel to the fence line of the Pinal Central Substation, which is less than 150 feet to the
4 north. The other approximately 0.20 miles of the CEC Route would be situated inside the
5 Pinal Central Substation.

6 A 100-foot wide right-of-way (“ROW”) is approved for the CEC Route within the
7 corridor depicted on Attachment A. The corridor is comprised of a combination of parcels
8 controlled by the Applicant or owners of the Pinal Central Substation and identified by the
9 Pinal County Assessor as Parcels 401-44-001H (identified as Parcel 7 in Attachment A),
10 401-44-0060 (identified as Parcel 4 in Attachment A) and 401-44-0100 (identified as Parcel
11 5 in Attachment A). The corridor is approved over all of the Applicant-controlled private
12 land to permit minor adjustments to the location of structures that may be necessary to
13 achieve site-specific mitigation objectives or meet site-specific engineering requirements.

14 CONDITIONS

15 This Certificate is granted upon the following conditions:

16 1. During the development, construction, operation, maintenance and
17 reclamation of the Project, the Applicant shall comply with all applicable statutes,
18 ordinances, master plans and regulations of any governmental entity having jurisdiction,
19 including the United States of America, the State of Arizona, Pinal County, the City of
20 Coolidge, Arizona, and their agencies or subdivisions.

21 2. Applicant shall work collaboratively with SunZia Transmission, LLC and
22 exercise commercially reasonable efforts to design and construct its 230 kV Gen-Tie in a
23 manner that does not interfere with the construction and operation of SunZia Transmission,
24 LLC’s 500 kV transmission Lines 1 and 2, as depicted in Attachment B hereto, by locating
25 Applicant’s transmission structure No. 4 as depicted in Attachment B, or in a manner
26 substantially equivalent to that depiction and location, as dictated by applicable safety and
27 engineering requirements.
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1 3. Applicant shall obtain all approvals and permits required by the United States
2 of America, the State of Arizona, Pinal County, the City of Coolidge, Arizona, and any
3 other governmental entities having jurisdiction necessary to construct, operate, and
4 maintain the Project.

5 4. Applicant shall comply with the notice and salvage requirements of the
6 Arizona Native Plant Law (A.R.S. §§ 3-901, *et. seq.*) and shall, to the extent feasible,
7 minimize the destruction of native plants during CEC Route construction.

8 5. Applicant shall design the Gen-Tie to incorporate reasonable measures to
9 minimize impacts to birds. Such design will:

10 a. Comply with the 2006 Standards of the Avian Power Line Interaction
11 Committee; and

12 b. Address the application of recommended measures to minimize the risk of
13 collision, as described in the 2012 guidelines of the Avian Power Line Interaction
14 Committee.

15 6. Applicant shall make every reasonable effort to promptly investigate, on a
16 case-specific basis, all complaints of interference with radio or television signals from
17 operation of the Gen-Tie addressed in this Certificate and where such interference is caused
18 by the Gen-Tie take reasonable measures to mitigate such interference. Applicant shall
19 maintain written records for a period of five (5) years of all complaints of radio or
20 television interference attributable to operations, together with the corrective action taken in
21 response to each complaint. All complaints shall be recorded to include notation on the
22 corrective action taken. Complaints not leading to a specific action or for which there was
23 no resolution shall be noted and explained. Upon request, the written records shall be
24 provided to the Staff of the Commission. Applicant shall respond to complaints and
25 implement appropriate mitigation measures. In addition, the Gen-Tie shall be evaluated on
26 a regular basis so that damaged insulators or other line materials that could cause
27 interference are repaired or replaced in a timely manner.
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1 7. If human remains and/or funerary objects are encountered on private land
2 during the course of any ground-disturbing activities related to the construction of the CEC
3 Route, Applicant shall cease work on the affected area of the Project and notify the Director
4 of the Arizona State Museum as required by A.R.S. § 41-865.

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

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

20 9. Applicant shall use non-specular conductor and non-reflective surfaces for the
21 Project's transmission line structures on the CEC Route.

22 10. Applicant shall follow the most current Western Electricity Coordinating
23 Council and North American Electric Reliability Corporation planning standards, as
24 approved by the Federal Energy Regulatory Commission, and National Electrical Safety
25 Code construction standards.

26 11. Applicant shall provide the Commission Staff with copies of the transmission
27 interconnection agreement(s) it ultimately enters into with any transmission provider(s) in
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1 Arizona with whom it is interconnecting within thirty (30) days of execution of such
2 agreement(s), with the summary thereof filed at Docket Control, prior to construction of
3 such facilities.

4 12. Applicant shall submit a compliance certification letter annually, identifying
5 progress made with respect to each condition contained in this Certificate, including which
6 conditions have been met. Each letter shall be submitted to Commission's Docket Control
7 commencing on January 16, 2018. Attached to each certification letter shall be
8 documentation explaining how compliance with each condition was achieved. Copies of
9 each letter, along with the corresponding documentation, shall be submitted to the Arizona
10 Attorney General and the Governor's Office. The requirement for the compliance
11 certification letter shall expire on the date the CEC Route is placed into operation.
12 Notification of such filing with Docket Control shall be made to the Board of Supervisors
13 for Pinal County, the City of Coolidge, all parties to this Docket, and all parties who made a
14 limited appearance in this Docket.

15 13. Applicant shall provide a copy of this Certificate to the Board of Supervisors
16 for Pinal County and the City of Coolidge.

17 14. This authorization to construct the CEC Route shall expire five (5) years from
18 the date this Certificate is approved by the Commission, with or without modification.
19 Construction of the Gen-Tie shall be complete, such that the Gen-Tie is in service, within
20 the applicable timeframe. However, prior to the expiration of the time period, Applicant
21 may request that the Commission extend the time limitation.

22 15. In the event that the CEC Route requires an extension of the term(s) of this
23 Certificate prior to completion of construction, Applicant shall file such a time extension
24 request at least ninety (90) days prior to the expiration date of the Certificate. Applicant
25 shall use reasonable means to promptly notify all counties, cities and towns within five (5)
26 miles of the CEC Route of the request for extension.

27 16. Any transfer or assignment of this Certificate shall require the assignee or
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1 successor to assume in writing all responsibilities of Applicant listed in this Certificate and
2 its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of the Arizona
3 Administrative Code.

4 17. The Certificate Conditions shall be binding on Applicant's successors, assigns
5 and transferees and any affiliates, agents, or lessees of Applicant who have a contractual
6 relationship with Applicant concerning the construction, operation, maintenance or
7 reclamation of the Project facilities. Applicant shall provide in any agreement(s) or lease(s)
8 pertaining to the Project that the contracting parties and/or lessee(s) shall be responsible for
9 compliance with the Conditions set forth herein, and Applicant's responsibilities with respect
10 to compliance with such Conditions shall not cease or be abated by reason of the fact that the
11 Applicant is not in control of or responsible for operation and maintenance of the Project
12 facilities.

13 18. In the event Applicant, its assignee, or successor, seeks to modify the
14 Certificate terms at the Commission, it shall provide copies of such request to the Board of
15 Supervisors for Pinal County, the City of Coolidge, all parties to this Docket, and all parties
16 who made a limited appearance in this Docket.

17 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

19 1. The Project aids the state and the southwest region in meeting the need for an
20 adequate, economical, and reliable supply of electric power.

21 2. The Project aids the state in preserving a safe and reliable electric
22 transmission system.

23 3. The conditions placed on the CEC Route in this Certificate effectively
24 minimize the CEC Route's impact on the environment and ecology of the state.

25 4. The conditions placed on the CEC Route in this Certificate resolve matters
26 concerning balancing the need for the Project with the CEC Route's impact on the
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1 environment and ecology of the state arising during the course of the proceedings, and, as
2 such, serve as findings and conclusions on such matters.

3 5. The CEC Route is in the public interest because the Project's contribution to
4 meeting the need for an adequate, economical, and reliable supply of electric power
5 outweighs the minimized impact of the CEC Route on the environment and ecology of the
6 state.

7 DATED this 26th day of April, 2017.

8
9 **THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

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12 By: 

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Thomas K. Chenal, Chairman





Pinal Central Energy Center

Attachment A






Project Features

-  230kV Gen-tie Reference Centerline
-  Project Substation
-  Gen-tie CEC Corridor

Electrical Features

-  Pinal Central 230/500kV Substation
-  500kV Transmission Line
-  115kV Transmission Line
-  115kV Substation

Reference Features

-  City of Coolidge
-  Canal/Canal Lateral
-  State Highway
-  Streets
-  Parcel Identifier

T6S, R8E, Section 30

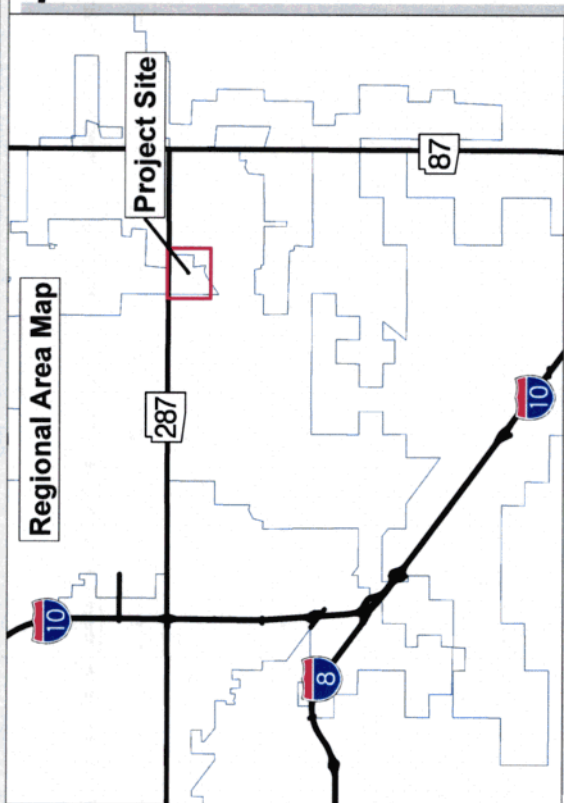
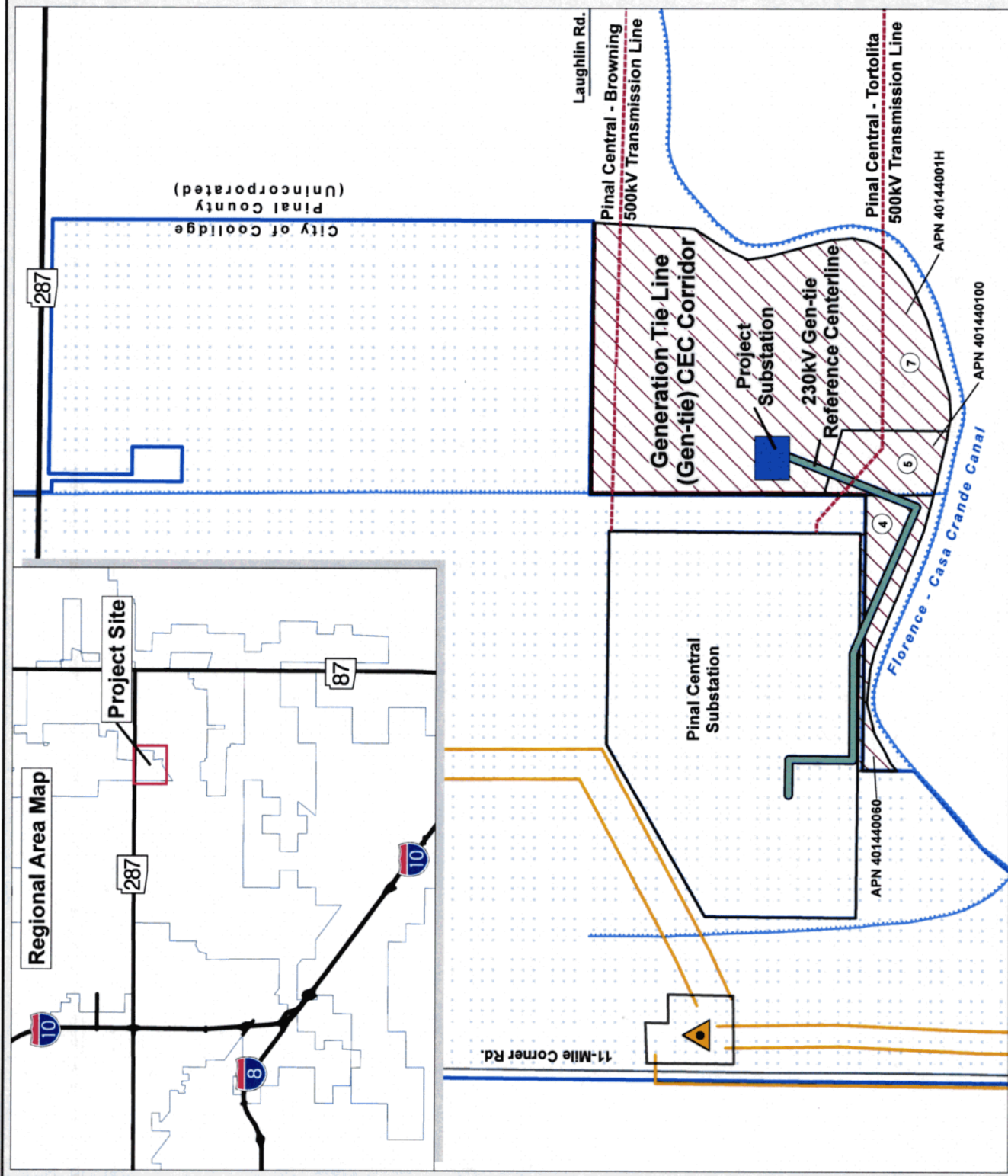
Certificate of Environmental Compatibility
Case No. 174



Sources: Next Era 2017;
EPG 2017;
NAP 2017

Pinal Central Energy Center, LLC

15282-001-0000-0000-0000-0000-0000-0000



Pinal Central Energy Center

Docket No. L-00000BBB-17-0073-00174

Legal Description Parcel 4 (APN 401440060):

Parcel No. 4:

That portion of the southeast quarter of the southwest quarter of Section 30, Township 6 Solution, Range 8 east of the Gila and Salt River base and meridian, lying north of the old Florence-Casa Grande Canal.

Excepting and reserving one-half of all gas, oil, and other minerals, as reserved in Docket 742, page 51, Records of Pinal County, Arizona

Legal Description Parcel 5 (APN 401440100):

Parcel No. 5:

A parcel of land located in the west half of the southeast quarter of Section 30, Township 6 South, Range 8 East of the Gila and Salt River base and meridian, Pinal County, Arizona, described as follows:
Commencing at the center of said section 30:

Thence south 00 degrees 15 minutes 00 seconds east along the north-south midsection line, a distance of 1062.00 feet to the true point of beginning;

Thence south 83 degrees 15 minutes 00 seconds east, a distance of 323.95 feet;

Thence south 00 degrees 15 minutes 00 seconds east, a distance of 694.73 feet to a point on the San Carlos Irrigation Canal;

Thence north 77 degrees 15 minutes 00 seconds west, a distance of 330.00 feet to a point of intersection of the north-south mid-section line and the San Carlos Irrigation Canal;

Thence north 00 degrees 15 minutes 00 seconds west along the north-south mid-section line, a distance of 660.00 feet to the true point of beginning.

Excepting and reserving one-half of all gas, oil, and other minerals, as reserved in docket 742, page 51, Records of Pinal County, Arizona.

Legal description parcel 7 (APN 40144001H):

Parcel No. 7:

That portion of the southeast quarter (SE ¼) of Section thirty (30) Township six (6) south, Range eight (8) east of the Gila and Salt River Base and Meridian, lying North of the Florence-Casa Grande Canal;

Except five (5) acres in the southwest corner of the above described tract bordering 330 feet on the Florence Canal and 660 feet bordering the lateral canal running north and south.

More particularly described as follows:

Beginning at the northwest corner of said southeast quarter; thence south 0 degrees 15 minutes east along the west line of said southeast quarter, a distance of 1,062.00 feet to the true point of beginning;

Thence continuing south 0 degrees 15 minutes east along the west line of said southeast quarter a distance of 660.00 feet to the center of the Florence Canal;

Thence south 77 degrees 15 minutes east along the centerline of the Florence Canal a distance of 330.00 feet to a point;

Thence north 0 degrees 15 minutes west parallel to the west line of said southeast quarter a distance of 694.73 feet to a point;

Thence north 83 degrees 15 minutes west a distance of 323.95 feet more or less to the point of beginning.

Except any portion lying within property described in warranty deed recorded as 2013-018115

Excepting and reserving one half (1/2) of all gas, oil, and other minerals, as reserved in docket 742, page 51, Records of Pinal County, Arizona

| NO | DATE | BY | CHKD | DESCRIPTION |
|----|---------|-----|------|-------------------|
| A | 4-19-17 | KGS | | CONCEPTUAL LAYOUT |

PINAL CENTRAL ENERGY CENTER

ATTACHMENT B

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

CASE NO. 174

CONCEPTUAL NOT FOR CONSTRUCTION

BURNS MCDONNELL

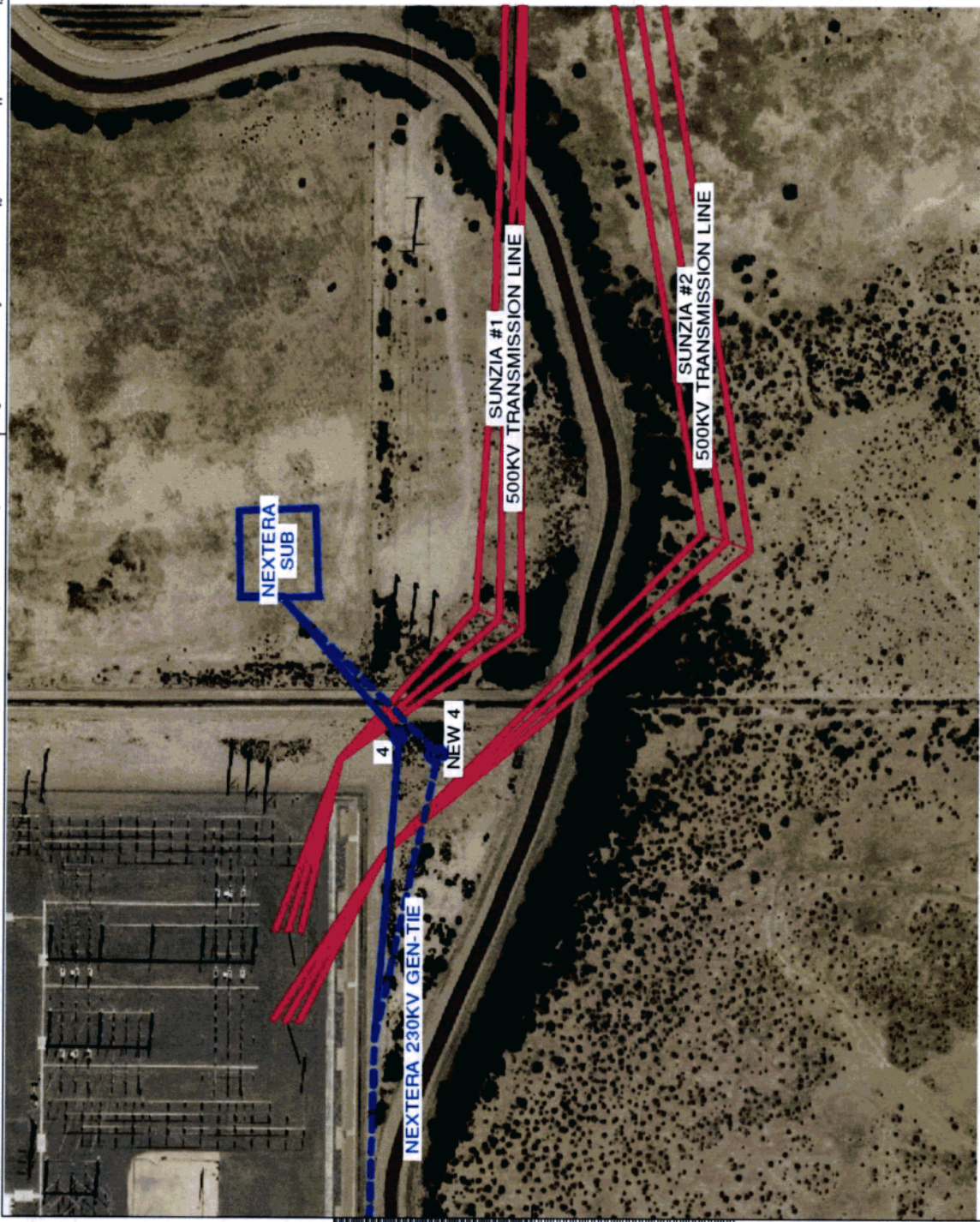
TX, PRINING MS
DATE 4-12-2017
DESIGNED BY K. GREEN
CHECKED BY K. GREEN



SUNZIA
PINAL CENTRAL ENERGY CENTER
SUBMIT 0004
CASE NO. 174

| PROJECT | CONTRACT | REV |
|---------|----------|-----|
| | | |

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| DRAWING | SHEET | OF | SHEETS |
|---------------|-------|----|--------|
| EXHIBIT SUN-4 | 1 | 1 | |