

Oliver

Felice B. B. B. Dec

RECEIVED

FEB 4 1985

LAW DEPARTMENT

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

BEFORE THE
POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF SALT RIVER)
PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT,)
IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA)
REVISED STATUTES SECTION 40-360, ET SEQ., FOR A)
230 kV TRANSMISSION LINE, APPROXIMATELY 31 MILES IN)
LENGTH, FROM THE EXISTING PINNACLE PEAK RECEIVING)
STATION IN THE CITY OF PHOENIX, ARIZONA)
(T4N, R4E, SECTION 10), TO THE VICINITY OF THE)
EXISTING BRANDOW RECEIVING STATION IN THE CITY OF)
TEMPE, ARIZONA (T1N, R4E, SECTION 11), AND THEN TO)
THE EXISTING PAPAGO BUTTES RECEIVING STATION IN)
THE CITY OF SCOTTSDALE, ARIZONA (T2N, R4E,)
SECTION 27).

CASE NO. 69

DECISION NO. 54345

Arizona Corporation Commission

DOCKETED

JAN 31 1985

DOCKETED BY *dmk*

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to notice given as provided by law, the Power Plant and Trans-
mission Line Siting Committee (the "Committee") held a public hearing at
the Colomade Room in the Ramada Inn, 3801 East Van Buren, Phoenix, Arizona
on November 8, 9 and 19, 1984 in conformance with the requirements of
Arizona Revised Statutes §40-360, et seq., for the purpose of receiving
evidence and deliberating on the application of the Salt River Project
Agricultural Improvement and Power District ("Applicant") for a Certificate
of Environmental Compatibility in the above captioned case.

The following members and designees of members of the Committee, con-
stituting a majority thereof, were present at the hearing, had an oppor-
tunity to review the transcript of that portion of the hearing conducted
on November 8 and 9, 1984, participated in the discussion and voted at the
conclusion of the hearing on November 19, 1984:

1	Rory C. H. Abate	Chairperson, Designee for Attorney General Robert K. Corbin
2		
3	Donna J. Schober	State Historic Preservation Officer, Designee for Michael Rammes, Director, Arizona State Parks
4		
5	James D. Pierce	Agriculture
6	Floyd Robbs	Public Member
7	Fred Young	Designee of Richard Kimball, Chairman Arizona Corporation Commission
8	Charles Tedford*	Director, Arizona Radiation Regulatory Agency
9		
10	Jack Brown	Chairman, Arizona Water Quality Control Council
11	Arthur Lee**	Supervisors Association of Arizona
12	Arlo Lee	Counties
13	Dennis Sundie	Designee for Wesley Steiner, Arizona Department of Water Resources
14		
15	Charles Kupcik	Designee for Robert K. Lane, Commissioner State Land Department
16	John Carr	Designee for Bud Bristow, Arizona Game and Fish Department
17		
18	Orme Lewis, Jr.	Public Member
19	Carl Billings	Designee for Dr. Lloyd F. Novick, Arizona Department of Health Services
20	Russ Winkelman	Professional Landscape Architect
21	Nancy C. Wrona	Designee for Beth S. Tarman, Executive Director of Office of Economic Planning and Development
22		
23	Paul Fish	Designee for Raymond Thompson, Arizona State Museum
24	John E. Wendt	Cities and Towns

25 *Michael Mays of the Arizona Radiation Regulatory Agency assisted
Mr. Tedford and participated in questioning, but did not vote.

26 **Participated only in hearings of November 8 and 9, 1984

1 The Applicant was represented by Gregory T. Whalen and Richard H.
2 Silverman of Salt River Project and Jack E. McCall of the law firm of
3 Jennings, Strouss and Salmon.

4 The following municipalities, organizations and individuals filed
5 timely notices of intent to be a party:

6 The City of Scottsdale was represented by Joe P. Sparks of the law
7 firm of Sparks and Siler, P.C.

8 Marilyn K. Armstrong, concerned citizen on behalf of the Tonalea
9 Homeowners Association

10 Virginia Harris, concerned citizen on her own behalf.

11 As a result of agreements reached at prehearing conferences on
12 November 2 and 6, 1984, the Applicant withdrew its objection to the inter-
13 vention of Ms. Armstrong and Ms. Harris if each were granted limited ap-
14 pearance status at the hearing. A motion recognizing Marilyn Armstrong
15 and Virginia Harris as limited parties to the hearing with opportunity to
16 make oral statement was made, seconded and approved by the Committee.

17 Prior to this hearing, the Arizona Corporation Commission expressed
18 interest in accommodating public comment at the hearing. The Arizona
19 Attorney General's office was of the opinion that the Corporation Commission
20 cannot order such a public comment period without adopting an appropriate
21 rule or procedure; however, Ms. Abate ruled that public comment was a matter
22 within the Committee's discretion. A motion to allow public comment in this
23 Case No. 69 was proposed by the Chairperson and was approved by the Ccm-
24 mittee.

25
26

DECISION NO. 54345

1 The following individuals provided comments to the Committee:

2 Tom O'Leary
3 Mylene Rock
4 Barbara Trebelhorn
5 Barbara Sherman
6 Becky Allison.

7 Ms. Abate advised the Committee she had denied a Motion in Limine filed
8 by the Applicant, and distributed a copy of her written order, seeking to
9 limit introduction and consideration by the Committee on the issue of need.
10 Ms. Abate overruled objection by the Applicant to the introduction of
11 testimony and evidence concerning need. Ms. Abate, at the conclusion of
12 the hearing, denied a motion made by the Applicant proposing instructions
13 to the Committee as to its duty in considering need. Instructions on burden
14 of proof were read to the Committee by the Chairperson.

15 At the conclusion of the hearing, the Committee having considered the
16 application, the evidence, testimony and exhibits presented by the Appli-
17 cant and the Intervenor, the statements of Ms. Armstrong and Ms. Harris,
18 the comments from the public, and the legal requirements of Arizona Revised
19 Statutes §§40-360 to 40-360.13, upon motion duly made and seconded, the Com-
20 mittee voted 13 to 3, with the dissenting votes being cast by Nancy C. Wrona,
21 Charles Kupcik and Dennis Sundie, to grant the Applicant the following
22 Certificate of Environmental Compatibility:

23 Applicant Salt River Project Agricultural Improvement and
24 Power District is hereby granted a Certificate of Environ-
25 mental Compatibility for construction of a 230 kV trans-
26 mission line from the existing Pinnacle Peak Receiving
Station, west of Scottsdale Road and north of Pinnacle
Peak Road, to the vicinity of the existing Brandow Receiving
Station and then on to the existing Papago Buttes Receiving
Station at Thomas Road and the Crosscut Canal near 64th
Street.

The route exits the Pinnacle Peak Receiving Station to the

1 southeast paralleling the existing 230 kV transmission
2 corridor and turns south across the Salt River Pima Maricopa
3 Indian Community, still in the same existing transmission
4 corridor, to the Salt River. It then follows the existing
5 transmission corridor along the north side of the Salt
River southwest, adjacent to the Brandow Receiving Station,
to a point approximately 1/8 mile east of Mill Avenue. At
that point, the route turns north to the Crosscut Canal and
follows the canal to the Papago Buttes Receiving Station.

6 The line will be built on double circuit structures between
7 Pinnacle Peak and the Brandow Receiving Station. These
8 structures will duplicate the existing lattice towers from
9 the Pinnacle Peak Receiving Station to the Salt River.
10 Single pole steel structures will generally be built along
11 the remaining portion of the route, but some lattice towers
12 may be installed to duplicate existing structures. From
Brandow to a point east of Mill Avenue, the line will be
constructed as a single circuit. From where the line turns
north, east of Mill Avenue, to the Papago Buttes Receiving
Station, steel pole structures will be built to carry a
single 230 kV circuit.

13 The existing section of 230 kV line currently built on
14 lattice towers near Moeur Park in the vicinity of the inter-
15 section of Mill Avenue and Curry Road and passing west of
16 the Arizona Children's Service Hospital will be relocated
17 to a ravine approximately 1/8 mile east of Mill Avenue to
18 parallel the new route. The line will be built on steel
poles in this new alignment. This new alignment will
rejoin the existing alignment at a point just south of the
City of Tempe Water Treatment Plant. The existing twelve
lattice towers between the Tempe Water Treatment Plant and
McDowell Road will be replaced with steel poles.

19 This certificate is granted upon the condition that the Applicant will
20 comply with all existing applicable air and water pollution control stan-
21 dards and regulations, and with all existing applicable ordinances,
22 master plans and regulations of the State of Arizona, the County of Mari-
23 copa, the Cities of Phoenix, Scottsdale and Tempe and any other govern-
24 mental entity having jurisdiction.

25
26 DECISION NO. 54345

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

GRANTED this 7th day of December, 1984

THE POWER PLANT AND TRANSMISSION
LINE SITING COMMITTEE

By Rory C. H. Abate
Rory C. H. Abate, Chairperson

APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

[Signature] Chairman [Signature] Commissioner [Signature] Commissioner

IN WITNESS WHEREOF, I, G.C. ANDERSON, Executive Secretary of the
Arizona Corporation Commission, set my hand and cause the official
seal of this Commission to be affixed, this 3rd day of January,
1985.

[Signature]
G. C. Anderson, Jr.
Executive Secretary

DECISION NO. 54345