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MAY 26 2004

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

SRP Legal Services

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4 IN THE MATTER OF THE APPLICATION OF SALT )  
 5 RIVER PROJECT AGRICULTURAL )  
 6 IMPROVEMENT AND POWER DISTRICT IN )  
 7 CONFORMANCE WITH THE REQUIREMENTS OF )  
 8 ARIZONA REVISED STATUTES SECTION 40-360, )  
 9 et seq., FOR A CERTIFICATE OF )  
 10 ENVIRONMENTAL COMPATIBILITY )  
 11 AUTHORIZING CONSTRUCTION OF THE PALO )  
 12 VERDE TO PINAL WEST PROJECT INCLUDING )  
 13 THE CONSTRUCTION OF TWO PARALLEL )  
 14 SINGLE CIRCUIT 500 kV TRANSMISSION LINES )  
 15 AND A 500/345/69kV SUBSTATION IN )  
 16 SOUTHWESTERN MARICOPA COUNTY, )  
 17 TERMINATING IN PINAL COUNTY ALONG THE )  
 18 MARICOPA AND PINAL COUNTY LINE IN )  
 19 CENTRAL ARIZONA. )

Docket No. L-00000B-03-0124

Case No. 124

DECISION NO. 67012

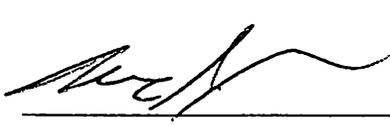
14 The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to  
 15 A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of Environmental  
 16 Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee  
 17 ("Committee") is hereby granted by this Order.

18 The Commission further finds and concludes that: (1) the Project is in the public interest  
 19 because it aids the state in meeting the need for an adequate, economical and reliable supply of  
 20 electric power; (2) in balancing the need for the Project with its effect on the environment and  
 21 ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its  
 22 impact on the environment and ecology of the state; (3) the conditions placed on the CEC by the  
 23 Committee resolve matters concerning the need for the Project and its impact on the environment  
 24 and ecology of the state raised during the course of proceedings, and as such, serve as the findings on  
 25 the matters raised; and (4) in light of these conditions, the balancing in the broad public interest  
 26 results in favor of granting the CEC.

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THE CEC ISSUED BY THE SITING COMMITTEE IS  
INCORPORATED HEREIN AND IS  
APPROVED BY ORDER OF THE  
ARIZONA CORPORATION COMMISSION

  \_\_\_\_\_

COMMISSIONER-CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 24<sup>th</sup> day of May, 2004.

  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT: \_\_\_\_\_

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2004 MAR 26 10:59 AM  
BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE

AZ CORP COMMISSION

DOCUMENT CONTROL

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 CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING CONSTRUCTION OF THE PALO )  
VERDE TO PINAL WEST PROJECT INCLUDING THE )  
CONSTRUCTION OF TWO PARALLEL SINGLE )  
CIRCUIT 500KV TRANSMISSION LINES AND A 500/ )  
345/69KV SUBSTATION IN SOUTHWESTERN )  
MARICOPA COUNTY, TERMINATING IN PINAL )  
COUNTY ALONG THE MARICOPA AND PINAL )  
COUNTY LINE IN CENTRAL ARIZONA. )

Docket No: 1

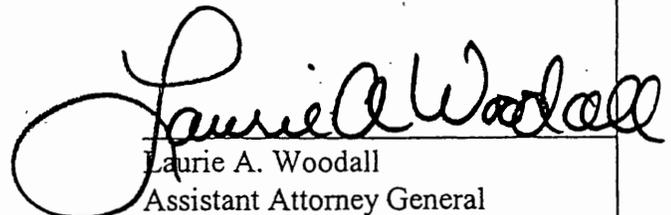
Case No: 124

**L-00000B-03-0124**

**NOTICE OF FILING  
PROPOSED CEC**

The Arizona Power Plant and Transmission Line Siting Committee hereby gives notice of filing the proposed Certificate of Environmental Compatibility in the form attached hereto as Exhibit A.

Dated this 26 day of March, 2004.



Laurie A. Woodall  
Assistant Attorney General  
Chairman, Arizona Power Plant and  
Transmission Line Siting Committee

1 ORIGINAL and 25 copies  
2 filed this 21st day of March, 2004  
3 with:

4 The Arizona Corporation Commission  
5 Docket Control  
6 1200 West Washington  
7 Phoenix AZ 85007

8 And Copies mailed to:

9 Laura Raffaelli  
10 Salt River Project  
11 Legal Services Dept.  
12 Mail Station PAB 207  
13 P.O. Box 52025  
14 Phoenix, AZ 85072-2025  
15 **Attorney for Salt River Project**

16 Kenneth C. Sundlof, Jr.  
17 Jennings Strouss & Salmon PLC  
18 201 East Washington, 11<sup>th</sup> Floor  
19 Phoenix, AZ 85004  
20 **Attorney for Salt River Project**

21 Thomas H. Campbell  
22 LEWIS & ROCA  
23 40 North Central Avenue  
24 Phoenix, AZ 85004  
25 **Attorneys for Gila Bend Power Partners, LLC**

26 Arizona Corporation Commission  
Attn: Lisa A. Vandenberg  
Legal Division  
1200 West Washington Street  
Phoenix, Az 85007

Ernest G. Johnson, Director  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Az 85007

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**Attorneys for Intervenor Sun MP, LLC (Estrella Mt. Sun Chase)**

  
Carol A. Gilbert  
254962/cg

# EXHIBIT A



1 The following members and designees of members of the Committee were present  
2 at one or more of the hearings for the evidentiary presentations and/or for the  
3 deliberations:

4 Laurie Woodall Chairman, Designee for Arizona Attorney General,  
Terry Goddard

5 Ray Williamson Designee for Chairman, Arizona Corporation  
6 Commission

7 Paul Rasmussen Designee for Director, Arizona Department of  
8 Environmental Quality

9 Mark McWhirter Designee for Director, Energy Department, Arizona  
10 Department of Commerce

11 Sandie Smith Appointed Member

12 Jeff McGuire Appointed Member

13 Margaret Trujillo Appointed Member

14 A. Wayne Smith Appointed Member

15 Michael Whalen Appointed Member

16 Michael Palmer Appointed Member

17  
18 The Applicant was represented by Kenneth C. Sundlof of Jennings, Strouss &  
19 Salmon, P.L.C. and Laura Raffaelli of Salt River Project Agricultural Improvement and  
20 Power District. The following parties were granted intervention pursuant to A.R.S. § 40-  
21 360.05: Arizona Corporation Commission Staff ("Staff"), represented by Lisa  
22 Vandenberg; Walter Meek, pro se; Gila Bend Power Partners, L.L.C., represented by  
23 Thomas H. Campbell of Lewis and Roca, L.L.P.; City of Casa Grande, represented by  
24 Kay Bigelow, City Attorney; Waste Management of Arizona, Inc., represented by John  
25  
26

1 R. Dacey and Alicia Corbett of Gammage and Burnham, P.L.C.; and Sun MP L.L.C.,  
2 represented by Steven A. Hirsch and Rodney W. Ott of Bryan Cave L.L.P.

3 At the conclusion of the hearings, the Committee, having received the Application,  
4 the appearances of the parties, the evidence, testimony, public comment, and exhibits  
5 presented at the hearings, and being advised of the legal requirements of Arizona Revised  
6 Statutes §§40-360 to 40-360.13, upon motion duly made and seconded, voted to grant the  
7 Applicant a Certificate of Environmental Compatibility (Case No. 124) for authority to  
8 construct the following facilities as requested and described in the Application and  
9 modified by the conditions herein: two parallel single circuit 500 kV transmission lines  
10 in Southwestern Maricopa County and Western Pinal County, terminating at a 500/345  
11 kV substation to be constructed in Pinal County, as described below, (the "Project").  
12

13  
14 The Project alignment (depicted on Exhibit A, attached hereto) will originate at  
15 the Hassayampa Switchyard located in Section 15, Township 1 South, Range 6 West  
16 approximately 3 miles south of the Palo Verde Nuclear Generating Station, west of  
17 Phoenix, Arizona. The Project has the authority to construct such structures as may be  
18 reasonably necessary to interconnect to the adjacent Red Hawk Switchyard located in  
19 Section 14, Township 1 South, Range 6 West. The proposed 500 kV transmission lines  
20 will be constructed west and parallel to the existing Palo Verde to Kyrene 500 kV  
21 transmission line, within a Bureau of Land Management ("BLM") designated multiple-  
22 use utility corridor(s) ("BLM corridor"), from the Hassayampa Switchyard to the Gila  
23 River. From the Hassayampa Switchyard, the lines will extend south and east within a  
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1 2000 foot corridor, the center line of such corridor coinciding with the existing Palo  
2 Verde to Kyrene 500 kV transmission line until a point west of the Gila River crossing in  
3 Section 28, Township 2 South, Range 5 West.

4         Extending east from the Gila River crossing to the Jojoba Substation located in  
5 Section 25, Township 2 South, Range 4 West, each of the two proposed 500 kV  
6 transmission lines will be constructed, one on either side (north and south) of the existing  
7 500 kV line within a 2000 foot corridor, at a point west of the Gila River, the southern  
8 boundary of such corridor will coincide with the southern most pipeline. At a point east  
9 of the Gila River, the southern boundary of such corridor will coincide with the northern  
10 most natural gas pipeline easement. Either or both of the proposed 500 kV transmission  
11 lines may interconnect with the Jojoba Substation. Proceeding east from the Jojoba  
12 Substation, the proposed 500 kV transmission lines will continue this alignment until the  
13 divergence of the existing Palo Verde to Kyrene 500 kV line to the northeast in Section  
14 29, Township 2 South, Range 3 West ("divergence").

15         Extending southeast from the divergence, the alignment will proceed north of and  
16 parallel to the existing El Paso Natural Gas Pipelines until exiting the BLM corridor at  
17 the northwest corner of Section 20, Township 4 South, Range 1 East. At a point near  
18 Section 18, Township 4 South, Range 1 East, where the El Paso gas line corridor diverges  
19 from the Sonoran Desert National Monument, the center line of the 2000 foot corridor  
20 will coincide with the center line of the El Paso gas line corridor. The proposed 500 kV  
21 lines will then extend south parallel to a section line until intersecting with a section  
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1 line/Mahalia Road at the southwest corner of Section 29, Township 4 South, Range 1  
2 East; and east parallel to a section line/Mahalia Road until the intersection with the El  
3 Paso Natural Gas Pipelines within the BLM corridor near the southwest corner of Section  
4 27, Township 4 South, Range 1 East. The lines will then extend south and east within a  
5 2000 foot corridor, the centerline of such corridor coinciding with the section line (south)  
-6 and the section line/Mahalia Road (east).  
7

8 The proposed 500 kV transmission lines will then be constructed parallel to the  
9 existing El Paso Natural Gas Pipelines within the BLM corridor until intersecting with  
10 the existing Tucson Electric Power Company ("TEP") 345 kV transmission line in  
11 Section 7, Township 5 South, Range 2 East. The lines will extend southeast within a  
12 2000 foot corridor, the centerline of such corridor coinciding with the centerline of the  
13 natural gas pipeline easement.  
14

15 From the intersection of the existing 345 kV line until terminating at the proposed  
16 Pinal West Substation located in Section 18, Township 5 South, Range 2 East, the  
17 proposed 500 kV transmission lines will parallel the existing TEP 345 kV transmission  
18 line within the BLM corridor. The lines will extend south within a 2000 foot corridor,  
19 the centerline of such corridor coinciding with the existing TEP Westwing to South 345  
20 kV line easement.  
21

22  
23 With the exception of turning and line crossing structures, the Project will be  
24 constructed on single circuit lattice structures and tubular type steel structures, supporting  
25 a three-phase line. The substation configuration approved by this CEC for the proposed  
26

1 Pinal West substation shall be as shown in Applicant's Exhibits G-14 and G-15 in the  
2 application and both are attached to this Certificate in Exhibit B. This approval shall not  
3 limit the ability of the Applicant to make reasonable improvements, replacements,  
4 additions or modifications as needed to operate the system in a safe, reliable, and efficient  
5 manner. This Certificate is granted upon the following conditions:

6  
7 1. This authorization to construct the Project will expire twenty (20) years  
8 from the date the Certificate is approved by the Arizona Corporation  
9 Commission, unless construction is completed to the point that the line is  
10 capable of operating at its rated capacity by that time; provided, however,  
11 that prior to such expiration the Applicant may request that the Arizona  
12 Corporation Commission extend the time limitation.

13  
14 2. The Applicant shall locate the first Palo Verde to Pinal West Transmission  
15 Line in accordance with the alignment as depicted in Exhibit A. If, when  
16 the Applicant begins construction, the Gila Bend Power Partners, L.L.C.  
17 ("GBPP") Transmission Line (Commission Decision No. 65866) is  
18 constructed or is under construction, the first Palo Verde to Pinal West  
19 Transmission Line shall be constructed 130 feet west and south of the  
20 GBPP Transmission Line to a location west of the Gila River, and then 130  
21 feet south of the existing Hassayampa to Jojoba to Kyrene Transmission  
22 Line from the Gila River to the Jojoba Switchyard.

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25 3. In the event that GBPP begins construction of the GBPP Transmission Line  
26

1 before Applicant begins construction of the second Palo Verde to Pinal  
2 West Transmission Line, GBPP will occupy Applicant's position for the  
3 second line from the Hassayampa Switchyard to the Jojoba Switchyard.  
4 Applicant would then construct its second line from the Jojoba Switchyard  
5 to Pinal West.

6  
7 4. Applicant shall obtain all required approvals and permits necessary to  
8 construct the Project.

9 5. Applicant shall comply with all existing applicable laws, air and water  
10 pollution control standards and regulations, ordinances, master plans and  
11 regulations of the United States, the State of Arizona, Maricopa County,  
12 Pinal County and any other governmental entities having jurisdiction.

13  
14 6. The Applicant will sponsor a Class III cultural resources survey of the  
15 previously unsurveyed portions of the selected corridor or right-of-way, and  
16 consult with the State Historic Preservation Office ("SHPO") regarding  
17 Register-eligibility and effect.

18  
19 7. The Applicant will avoid and/or minimize impacts to properties considered  
20 eligible for inclusion in the State or National Register of Historic Places to  
21 the extent possible.

22  
23 8. If the Applicant decides that Register-eligible archaeological sites cannot be  
24 avoided, then the Applicant will plan and implement an archaeological data  
25 recovery program in consultation with SHPO and the land-managing  
26

agency.

- 1  
2 9. After construction, Applicant, in conjunction with the applicable land  
3 managing agency, if any, will allow Arizona Site Stewards, a volunteer-  
4 staffed SHPO program, to periodically inspect the sites within the corridor  
5 for vandalism or other damage.
- 6  
7 10. Should an archaeological, paleontological, or historic site or object be  
8 discovered during plan-related activities, the person in charge is required to  
9 notify promptly the Director of the Arizona State Museum and take  
10 reasonable steps to secure and maintain the resource's preservation  
11 pursuant to state law (i.e., A.R.S. § 41-844). If a discovery involves human  
12 remains or funerary objects and occurs on private land, procedures  
13 implementing A.R.S. § 41-865 must be followed.
- 14  
15 11. Within 45 days of securing easements or right of way for the Project, the  
16 Applicant shall erect and maintain signs providing public notice that the  
17 property is the site of a future transmission line. Applicant shall place signs  
18 in prominent locations at reasonable intervals such that the public is  
19 notified along the full length of the transmission line. The Applicant must  
20 locate signs at the location of the proposed Palo Verde to Pinal West  
21 substation. The signs shall advise: a.) the site has been approved for the  
22 construction of Project facilities including 500kV lines or a 500, 345, 69 kV  
23 substation, as appropriate; b.) the expected date of completion of the  
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1 Project facilities; and c.) a phone number for public information regarding  
2 the Project.

3 12. The Applicant shall record with its easements for the Project notice of the  
4 development of a transmission line. Until construction of the first  
5 transmission line is complete, Applicant shall make reasonable efforts to  
6 work with developers along the certificated route to encourage them to  
7 include the location of the certificated route in the developers' homeowners  
8 disclosure statement.  
9

10 13. The Applicant shall provide copies of this Certificate to SHPO, the Arizona  
11 Game and Fish Department, appropriate city and county planning agencies,  
12 and the Arizona State Land Department.  
13

14 14. Applicant shall monitor all ground clearing or disturbing activities that may  
15 affect sensitive habitat. If a special status species is encountered, Applicant  
16 shall retain a biological monitor to ensure proper actions are taken with  
17 regard to such species.  
18

19 15. Applicant shall design the transmission lines so as to minimize impacts to  
20 raptors.  
21

22 16. Where practical, the Applicant shall use existing roads for construction and  
23 access. The Applicant shall minimize vegetation disturbance, particularly  
24 in drainage channels and along stream banks.  
25

26 17. A. The Applicant shall make every reasonable effort to identify and

1 correct, on a case-specific basis, all complaints of interference with radio or  
2 television signals from operation of the line and related facilities.

3 B. The Applicant shall maintain written records for a period of five (5)  
4 years of all complaints of radio or television interference attributable to  
5 operation of the line, together with the corrective action taken in response  
6 to each complaint. All complaints shall be recorded and include notations  
7 as to the corrective action taken. Complaints not leading to a specific  
8 action or for which there was no resolution shall be noted and explained.

9 The record shall be signed by the Project owner and also the complainant, if  
10 possible, to indicate concurrence with the corrective action or agreement  
11 with the justification for a lack of action.  
12

13  
14 18. The Applicant shall, to the extent feasible, minimize the destruction of  
15 native plants during the Project construction and shall comply with the  
16 notice and salvage requirements of the Arizona Native Plant Law. Where  
17 practical, the Applicant shall utilize plant materials salvaged within the  
18 right of way and supplement with additional plant material to mitigate the  
19 visual impacts around the Pinal West substation.  
20

21 19. The Applicant shall use non-specular conductor and dulled surfaces for  
22 transmission line structures.  
23

24 20. The following condition is to ensure transmission system safety and  
25 reliability when a transmission structure is placed within one hundred feet  
26

1 of an existing natural gas or hazardous liquid pipeline, excluding  
2 distribution lines as defined by the Code of Federal Regulations, 49 C.F.R.  
3 Sect. 192.3 (2001). Under such circumstances, the Applicant shall:

4 (a) Provide the appropriate grounding and cathodic protection studies to  
5 show that the transmission line results in no material adverse  
-6 impacts to such existing natural gas or hazardous liquid pipeline,  
7 whose right-of-way is a hundred feet or less from the transmission  
8 structure, when both are in operation. Additionally, Applicant shall  
9 use its best efforts to insure that future natural gas and hazardous  
10 liquid pipelines result in no material adverse impact to the  
11 transmission lines. A report of the studies shall be provided to the  
12 Commission by the Applicant as part of its compliance with the  
13 Certificate. If material adverse impacts are noted in the studies,  
14 Applicant shall take appropriate steps to ensure such material  
15 adverse impacts are mitigated. Applicant shall provide to the  
16 Commission written documentation of the actions that were taken  
17 and provide documentation showing that material adverse impacts  
18 were mitigated.

19 (b) Adopt a written mitigation plan outlining all reasonable steps to be  
20 taken to protect all electric facilities associated with the transmission  
21 line as a result of this Project from any potential hazards that could  
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1 occur whenever a transmission line structure is placed 100 feet or  
2 less from any such existing pipeline or its contents. The plan shall  
3 indicate the proposed corrective action to mitigate identified  
4 potential hazards. A potential hazard includes, but is not limited to,  
5 a rupture or explosion resulting from the pipeline. The written  
6 mitigation plan shall be provided to the Commission by the  
7 Applicant as part of its compliance with this Certificate and shall be  
8 subject to review and comment by Commission Staff. Applicant  
9 shall implement the written mitigation plan during a hazard as part  
10 of its compliance with this Certificate.  
11  
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13 21. The Applicant shall submit a self-certification letter annually until  
14 construction is complete, identifying which conditions contained in the  
15 CEC have been met. Each letter shall be submitted to the Utilities Division  
16 Director beginning on August 1, 2005, describing conditions that have been  
17 met as of June 30 of that year. Attached to each certification letter shall be  
18 documentation explaining, in detail, how compliance with each condition  
19 was achieved. Copies of each letter along with the corresponding  
20 documentation shall also be submitted to the Attorney General's Office.  
21

22  
23 22. Before construction on this Project may commence, the Applicant must file  
24 a construction mitigation and restoration plan with ACC Docket Control.

25 The goals of the Plan will be to:  
26

1                    Avoid impacts where practical;

2                    Where impacts are unavoidable, minimize impacts; and

3                    Focus on site preparation to facilitate natural processes of  
4                    revegetation.

5                    Other key elements of the Plan, when not inconsistent with the respective  
6                    land management agencies or local owners' requirements, are to:

8                    Emphasize final site preparation to encourage natural revegetation;

9                    Avoid (*i.e.*, preserve), where practical, mature native trees;

10                    Stipulate a maximum construction corridor width;

11                    Reserve topsoil and native plant materials from right-of-way before  
12                    grading, and respread over the right-of-way after construction is  
13                    complete;

14                    Imprint the restored right-of-way to provide indentations to catch  
15                    seed and water;

16                    Implement best management practices to protect the soil;

17                    Apply restoration methods that have been shown to work in the  
18                    desert environment; and

19                    Prevent the spread of noxious weeds or other undesirable species.

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23                    23.    Neither the Applicant nor any participant will assert or argue that the grant  
24                    of this Certificate, authorizing the construction of the Project to the proposed Pinal  
25                    West substation, acts as precedent for routing decisions or any other matters to be  
26

1 determined in subsequent Certificate of Environmental Compatibility applications,  
2 if any, filed by the Applicant or other project participants concerning additional  
3 lines to be constructed from the proposed Pinal West substation.  
4

5 GRANTED this 26 day of March, 2004.  
6

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

10 By Laurie A Woodall  
11 Laurie A. Woodall, Chairman  
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1 APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

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Chairman

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Commissioner

\_\_\_\_\_

Commissioner

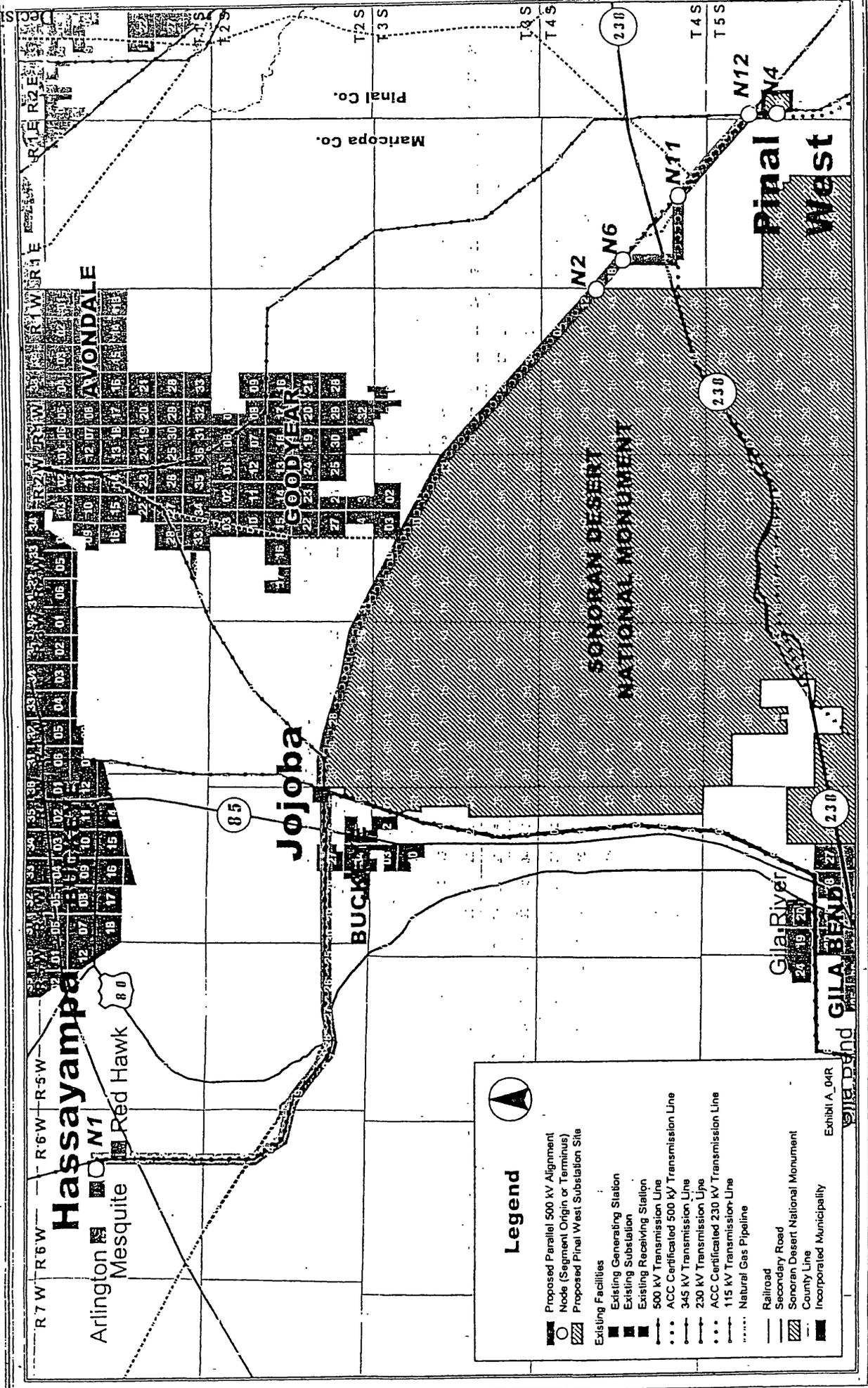
6  
7 In Witness Hereof, I, Brian C. McNeil, Executive Secretary of the Arizona  
8 Corporation Commission, set my hand and cause the official seal of this Commission to  
9 be affixed, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

10  
11 By \_\_\_\_\_  
12 Brian C. McNeil  
13 Executive Secretary

14 Dissent

15  
16 254350/cg

# EXHIBIT A



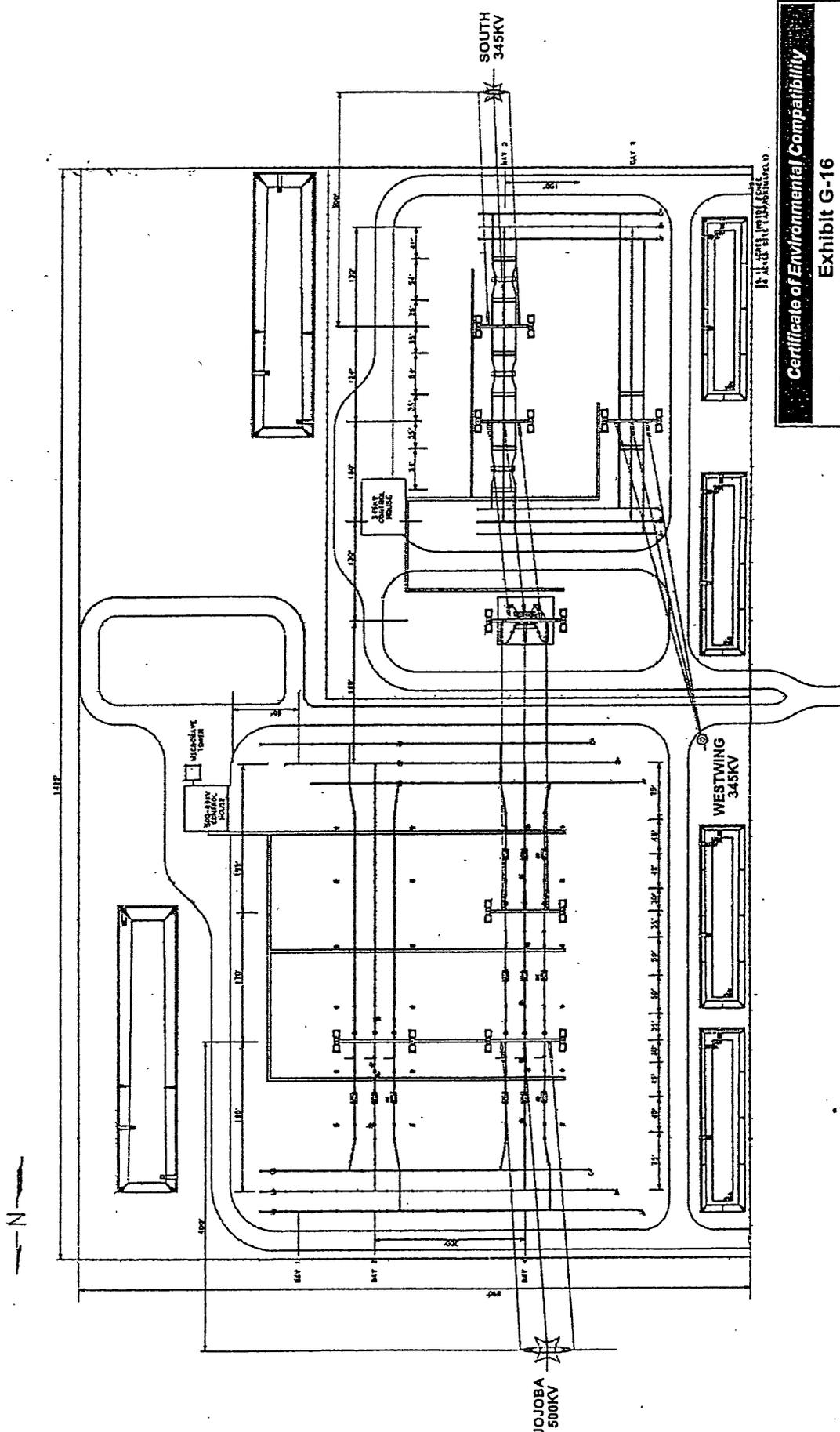
**Legend**

- Proposed Parallel 500 kV Alignment
- Node (Segment Origin or Terminus)
- Proposed Pinal West Substation Site
- Existing Facilities**
- Existing Generating Station
- Existing Substation
- Existing Receiving Station
- 500 kV Transmission Line
- ACC Certified 500 kV Transmission Line
- 345 kV Transmission Line
- 230 kV Transmission Line
- ACC Certified 230 kV Transmission Line
- 115 kV Transmission Line
- Natural Gas Pipeline
- Railroad
- Secondary Road
- Sonoran Desert National Monument
- County Line
- Incorporated Municipality

Exhibit A\_04R

# EXHIBIT B

# Proposed Pinal West Substation – Initial General Arrangement

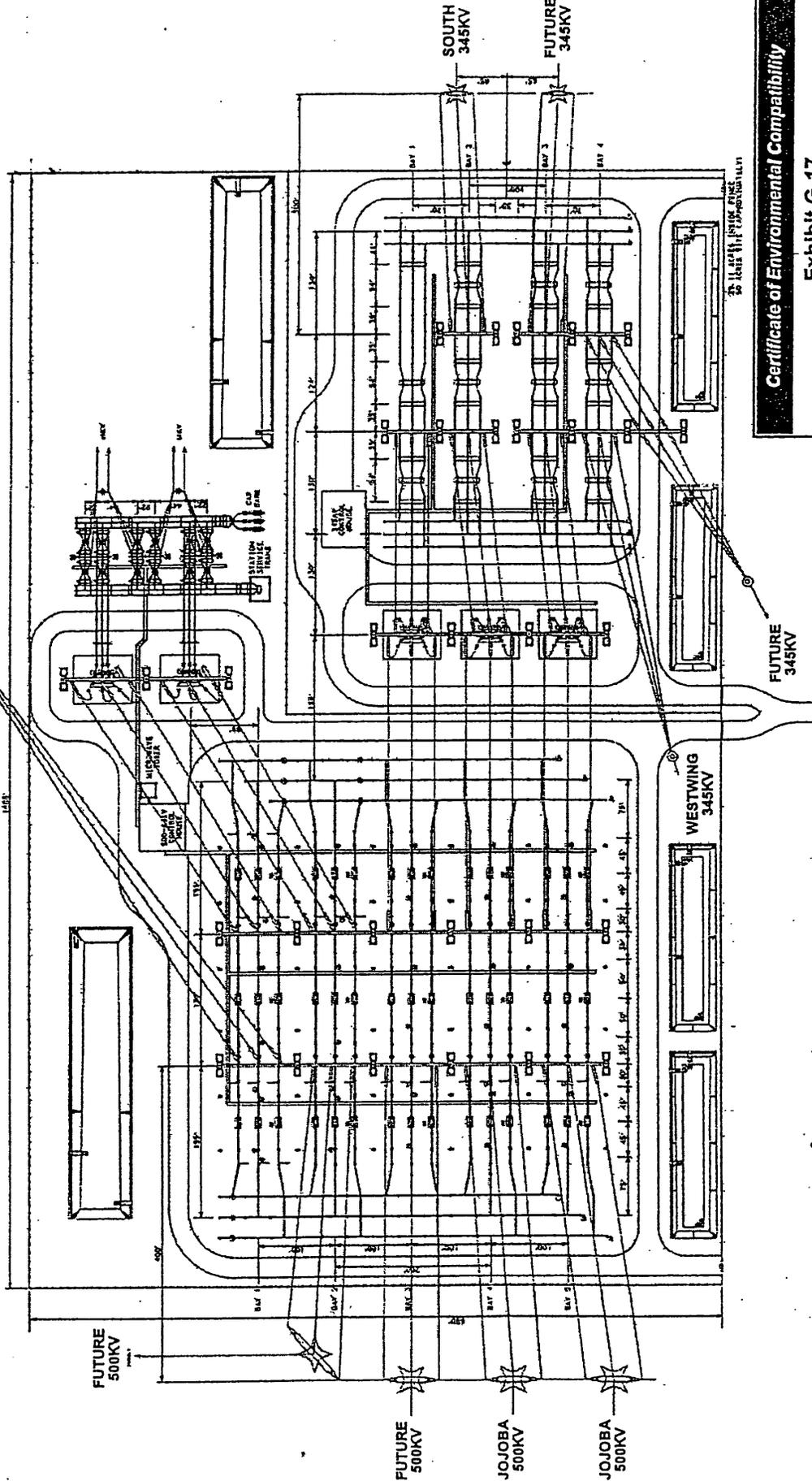


**Certificate of Environmental Compatibility**  
**Exhibit G-16**  
**Proposed Pinal West Substation –**  
**Initial General Arrangement**  
*Palo Verde to Pinal West Project*  
 Date: 09.18.03 Exhibit G-16 Author: mv

# Proposed Pinal West Substation - Ultimate General Arrangement



FUTURE  
500KV



**Certificate of Environmental Compatibility**

**Exhibit G-17**  
**Proposed Pinal West Substation -**  
**Ultimate General Arrangement**

*Paio Verde to Pinal West Project*  
 Date: 09.18.03 | Exhibit G-17 | Author: mv