



1 IN THE MATTER OF THE APPLICATION OF  
 2 ARIZONA PUBLIC SERVICE COMPANY, IN  
 3 CONFORMANCE WITH THE  
 4 REQUIREMENTS OF ARIZONA REVISED  
 5 STATUTES §§ 40-360, Et Seq., FOR A  
 6 CERTIFICATE OF ENVIRONMENTAL  
 7 COMPATIBILITY AUTHORIZING THE TS-9  
 8 TO PINNACLE PEAK 500KV/230KV  
 9 TRANSMISSION LINE PROJECT WHICH  
 10 INCLUDES A 500KV TRANSMISSION LINE, A  
 11 230KV TRANSMISSION LINE AND  
 12 ASSOCIATED FACILITIES AND  
 INTERCONNECTIONS ORIGINATING FROM  
 THE PROPOSED TS-9 SUBSTATION  
 LOCATED SOUTH OF SR74 IN PEORIA, AT  
 SECTION 33, TOWNSHIP 6 NORTH, RANGE 1  
 EAST, G&SRB&M, TO THE EXISTING  
 PINNACLE SUBSTATION LOCATED NEAR  
 64<sup>TH</sup> STREET AND PINNACLE PEAK ROAD  
 IN PHOENIX, AT SECTION 10, TOWNSHIP 4  
 NORTH, RANGE 4 EAST, G&SRB&M

**DOCKET NO. L-00000D-06-0635-00131**

**CASE NO. 131**

**DECISION NO. 78251**

**SAMPLE ORDER**

**(Sample Form of Order for the convenience of the Commission to use if the Commission determines it is in the public interest to adopt the Recommended Opinion and Order of the Siting Committee in response to APS's Request for Amendment of Decision Nos. 65997 and 69343)**

Open Meeting  
September 8 - 9, 2021  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 10, 2021, Arizona Public Service Company ("APS") filed a request pursuant to Arizona Revised Statute ("A.R.S.") § 40-252 requesting that the Arizona Corporation Commission ("Commission") amend Decision No. 65997, which approved a Certificate of Environmental Compatibility ("CEC") in Line Siting Case No. 120 ("CEC 120"), and Decision No. 69343, which approved a CEC in Line Siting Case No. 131 ("CEC 131").

2. Decision No. 65997, issued on June 18, 2003, approved the CEC 120 that authorized APS to construct (i) two new substations, the Scatter Wash and Avery Substations, and (ii) a double-circuit 230 kV transmission line between the existing Westwing, Raceway, and Pinnacle Peak Substations.

1  
2 3. Decision No. 69343, issued on February 20, 2007, approved CEC 131 that authorized  
3 APS to construct (i) two new substations and (ii) a double-circuit 500/230 kV transmission line  
4 between the Morgan and Pinnacle Peak Substations.

5 4. CEC 120 was subsequently amended in Decision No. 73824 (April 10, 2013) to,  
6 among other things, extend the term of CEC 120 to June 18, 2023 to construct the Scatter Wash and  
7 Avery Substations, align with CEC 131 by removing portions of the double-circuit 230kV line  
8 authorized in both CEC 120 that overlapped with CEC 131, and to move the location of the Scatter  
9 Wash Substation north of the previously-authorized substation site.

10 5. The requested amendment of Decision No. 65997 (CEC 120) would permit APS to  
11 expand the size of the Avery Substation from approximately ten acres to approximately 64 acres, to  
12 ensure adequate service to the Taiwan Semiconductor Manufacturing Company ("Semiconductor  
13 Plant") being developed near the northwest corner of the Loop 303 and the 43rd Avenue alignment in  
14 the City of Phoenix.

15 6. The requested amendment of Decision No. 69343 (CEC 131) would (i) permit APS to  
16 relocate an approximate 3.5-mile segment of the existing Morgan-Pinnacle Peak Line from its  
17 approved corridor, approximately 0.5 miles north, to prevent interference with the operations of the  
18 Semiconductor Plant, and (ii) authorize construction of a third substation to ensure adequate service  
19 to the Semiconductor Plant.

20 7. On May 5, 2021, in Decision Nos. 77987 and 77988, the Commission granted APS's  
21 request to amend the Decision Nos. 65997 and 69343 pursuant to A.R.S. § 40-252 and referred the  
22 Application back to the Arizona Power Plant and Transmission Line Siting Committee ("Line Siting  
23 Committee") to obtain additional testimony on all the issues raised in the Application and to provide  
24 a recommended opinion and order to the Commission.

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

8. On July 30, 2021, the Line Siting Committee issued a Recommended Opinion and Order Amending Decision Nos. 65997 and 69343 (“Recommended Opinion and Order”) to effect the above changes to CEC 120 and CEC 131 (“Project Changes”) attached hereto as Exhibit 1.

9. Pursuant to A.R.S. § 40-360, et seq., and A.R.S. § 40-252 and after due consideration of all relevant matters, the Commission finds and concludes that the Recommended Opinion and Order of the Line Siting Committee is in the public interest and hereby approved as set forth herein.

10. The Commission, in reaching its decision, has balanced all relevant matters in the broad public interest, including the need for an adequate, economical, and reliable supply of electric power and the effect of the Project Changes on the environment and ecology of this state, and finds that accepting the Line Siting Committee’s recommendations in the Recommended Opinion and Order on APS’s request for amending Decision No. 65997 and Decision No. 69343 is in the public interest.

11. The Commission further finds and concludes:

- a. The Project Changes recommended by the Line Siting Committee are in the public interest because they aid the state in meeting the need for an adequate, economical, and reliable supply of electric power.
- b. In balancing the need for the Project Changes with their effect on the environment and ecology of the state, the conditions placed on the Project Changes effectively minimize the impact on the environment and ecology of the state.

...  
...  
...  
...  
...

**CONCLUSIONS OF LAW**

1  
2  
3 1. The Commission has jurisdiction over Arizona Public Service Company and the  
4 subject matter contained herein pursuant to Article XV of the Arizona Constitution and A.R.S. §§ 40-  
5 252 and 40-360 et seq.

6 2. Notice of the proceedings has been given in the manner provided by law.

7 3. The Commission, having reviewed and considered the Request to Amend Decision  
8 No. 65997 and Decision No. 69343 and the Recommended Opinion and Order concludes that it is in  
9 the public interest to adopt the Recommended Opinion and Order attached hereto as Attachment 1.

10 **ORDER**

11 IT IS THEREFORE ORDERED that the Arizona Public Service Company's Application to  
12 amend Decision Nos. 65997 and 69343, which approved Certificates of Environmental Compatibility  
13 in Line Siting Case No. 120 and Line Siting Case No. 131 respectively, is hereby granted as set forth  
14 in the Recommended Opinion and Order of the Line Siting Committee attached hereto as Attachment  
15 1.

16 IT IS FURTHER ORDERED that the Recommended Opinion and Order issued by the Line  
17 Siting Committee in Attachment 1 is hereby adopted by the Commission.

18 IT IS FURTHER ORDERED that Decisions Nos. 65997, 69343 and 73824 shall remain in  
19 full force and effect except to the extent modified herein by Attachment 1.

20 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

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

*Lea Marquez Peterson*

CHAIRWOMAN MARQUEZ PETERSON

*Joseph P. Kennedy*

COMMISSIONER KENNEDY

*Justin Olson* *Anna Tovar*

COMMISSIONER OLSON

COMMISSIONER TOVAR

*James O'Connor*

COMMISSIONER O'CONNOR



IN WITNESS WHEREOF, I, MATTHEW J. NEUBERT, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 27 day of September, 2021.

*Matthew J. Neubert*  
MATTHEW J. NEUBERT  
Executive Director

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

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

# ATTACHMENT 1

## BEFOR THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

|   |  |
|---|--|
| <p>IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES SECTION 40-360, ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE NORTH VALLEY 230KV FACILITY PROJECT, CASE NO. 120 INCLUDING THE CONSTRUCTION OF APPROXIMATELY 31 MILES OF 230KV TRANSMISSION LINES, TWO 230KV SUBSTATIONS, AND THREE SUBSTATION INTERCONNECTIONS IN MARICOPA COUNTY, ARIZONA, ORIGINATING AT THE WESTWING SUBSTATION IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 1 WEST, G&amp;SRB&amp;M AND INTERCONNECTING AT THE RACEWAY SUBSTATION IN SECTIONS 4 AND 5, TOWNSHIP 5 NORTH, RANGE 1 EAST, G&amp;SRB&amp;M, CONTINUING TO THE PROPOSED AVERY SUBSTATION IN SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 EAST, G&amp;SRB&amp;M AND THE PROPOSED MISTY WILLOW SUBSTATION IN SECTION 8, TOWNSHIP 4 NORTH, RANGE 3 EAST, G&amp;SRB&amp;M, AND TERMINATING AT THE PINNACLE PEAK SUBSTATION IN SECTION 10, TOWNSHIP 4 NORTH, RANGE 4 EAST, G&amp;SRB&amp;M.</p> | <p>DOCKET NO. L-00000D-02-0120</p> <p>CASE NO. 120</p> <p>DECISION NO.:</p> <p><b>RECOMMENDED OPINION AND ORDER AMENDING DECISION NO. 65997 AND DECISION NO. 69343</b></p> |
| <p>IN THE MATTER OF THE APPLICATION ARIZONA PUBLIC SERVICE COMPANY IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES SECTION 40-360, <i>et seq.</i>, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE TS-9 TO PINNACLE PEAK 500kV/230kV</p>  | <p>DOCKET NO. L-00000D-06-0635-00131</p> <p>CASE NO.: 131</p> <p>DECISION NO.:</p>   |

RECEIVED  
2021 JUL 30 P 2:21  
AZ CORP COMMISSION  
DOCKET CONTROL

1 TRANSMISSION LINE PROJECT WHICH  
2 INCLUDES A 500kV TRANSMISSION LINE,  
3 A 230kV TRANSMISSION LINE AND  
4 ASSOCIATED FACILITIES AND  
5 INTERCONNECTIONS ORIGINATING  
6 FROM THE PROPOSED TS-9 SUBSTATION  
7 LOCATED SOUTH OF SR74 IN PEORIA, AT  
8 SECTION 33, TOWNSHIP 6 NORTH, RANGE  
9 I EAST, G&SRB&M, TO THE EXISTING  
PINNACLE PEAK SUBSTATION LOCATED  
NEAR 64TH STREET AND PINNACLE  
PEAK ROAD IN PHOENIX, AT SECTION 10,  
TOWNSHIP 4 NORTH, RANGE 4 EAST,  
G&SRB&M.

10 Open Meeting  
11 \_\_\_\_\_, 2021  
12 Phoenix, Arizona

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **BY THE COMMISSION:**

2 **FINDINGS OF FACT**

3 **Procedural History and Factual Background.**

4 1. On March 10, 2021, APS filed an Application to Amend (Application)  
5 requesting that the Arizona Corporation Commission (Commission) amend Decision  
6 No. 65997 (June 18, 2003) and Decision No. 69343 (February 20, 2007), which approved  
7 the Certificates of Environmental Compatibility in Line Siting Case No. 120 (CEC 120)  
8 and Line Siting Case No. 131 (CEC 131).

9 2. CEC 120 authorized APS to construct (i) two new substations known as the  
10 Scatter Wash (formerly Misty Willow Substation) and Avery Substations; and (ii) a new  
11 double-circuit 230kV transmission line between the existing Westwing, Raceway, and  
12 Pinnacle Peak Substations

13 3. CEC 131 authorized APS to construct (i) two new substations; and (ii) a  
14 new 27-mile 500/230kV double-circuit transmission line between the Morgan Substation  
15 (formerly TS9 Substation) and the Pinnacle Peak Substation (the Morgan – Pinnacle Peak  
16 Line).

17 4. CEC 120 was subsequently amended in Decision No. 73824 (April 10,  
18 2013) to, among other things, extend the term of CEC 120 to June 18, 2023 to construct  
19 the Scatter Wash and Avery Substations, align with CEC 131 by removing portions of the  
20 double-circuit 230kV line authorized in both CEC 120 that overlapped with CEC 131,  
21 and to move the location of the Scatter Wash Substation north of the previously-  
22 authorized substation site.

23 5. The construction of the Morgan-Pinnacle Peak 500kV and 230kV lines  
24 were completed and energized in December 2010.

25 6. The Scatter Wash Substation was completed in May 2020. Construction of  
26

1 the Avery Substation commenced in 2021.

2 7. Taiwan Semiconductor Manufacturing Company (TSMC) is constructing  
3 an advanced semiconductor manufacturing plant in Phoenix on an approximate 1,100-  
4 acre site near the northwest corner of the Loop 303 and the 43rd Avenue alignment in the  
5 City of Phoenix (Plant or Semiconductor Plant). TSMC intends to have two fabrication  
6 units start preliminary operations in 2022 and ramp up to full operation by 2024.

7 8. The process of fabricating semiconductors is highly sensitive to  
8 electromagnetic interference from overhead transmission lines. As a result, APS must  
9 relocate an approximate 3.5 mile segment of the Morgan-Pinnacle Peak Line (Affected  
10 Line Segment) approximately 0.5 mile north of its current location to prevent interference  
11 with the Plant.

12 9. The Semiconductor Plant also uses an extensive amount of electric power  
13 and because of the high demands associated with the Plant, APS needs to expand existing  
14 substation plans for the Avery Substation and add a new 500/230kV substation (TS22) to  
15 serve the Plant.

16 10. The Application filed by APS requested that the Commission amend CEC  
17 131 to (i) permit APS to relocate the Affected Line Segment from its approved corridor  
18 approximately 0.5 mile north; and (ii) to authorize the construction of a third substation  
19 to ensure adequate service to the Plant (CEC 131 Changes).

20 11. In that same Application, APS requested that the Commission amend CEC  
21 120 to permit APS to expand the size of the Avery Substation site from approximately 10  
22 acres to approximately 64 acres to ensure adequate service to the Plant (CEC 120  
23 Change).

24 12. CEC 131 Changes and CEC 120 Change (collectively Project Changes) are  
25 needed to serve the operation of the TSMC Semiconductor Plant and to maintain  
26 reliability of the surrounding transmission system.

1           13. In CEC 131, the Commission authorized the construction of two  
2 substations, but APS now plans to add a third substation to serve the Semiconductor  
3 Plant. Because of the specificity of CEC 131 with regards to the construction of two  
4 substations, APS seeks to amend CEC 131 to authorize the construction of a third  
5 substation as part of CEC 131 Project Changes described above.

6           14. CEC 120 authorized construction of the Avery Substation within an area  
7 located approximately ½ mile west of I-17 in Section 15, Township 5 North, Range 2  
8 East (Avery Substation Siting Area). Although CEC 120 does not expressly specify the  
9 size of the Avery Substation within the Avery Substation Siting Area, testimony given in  
10 Case 120 indicated that the Avery Substation would be situated on approximately 10  
11 acres. Because APS must now seek to significantly expand the size of the Avery  
12 Substation from 10 acres to approximately 64 acres within the Avery Substation Siting  
13 Area to serve the Semiconductor Plant, APS seeks to amend CEC 120 to authorize the  
14 increase in size of the Avery Substation.

15           15. In response to the filing of the Application, the Commission entered  
16 Decision No. 77987 and Decision No. 77988 on May 5, 2021, referring the Application  
17 back to the Committee for an additional evidentiary hearing on all matters raised in the  
18 Application.

19           16. On June 11, 2021, APS filed a Supplement to the Application (Supplement)  
20 to provide the Committee with information on the impact of relocating the Affected Line  
21 Segment and construction of the substations in the form of environmental studies and  
22 related information typically presented during the line siting hearing process pursuant to  
23 Arizona Revised Statute (A.R.S.) § 40-360 *et seq.*

24           **Hearing Before the Line Siting Committee.**

25           17. Pursuant to notice given as required by law, the Committee held a public  
26 hearing on July 26 through July 28, 2021 in Sun City, Arizona, in conformance with the  
27  
28

1 requirements of A.R.S. § 40-360 *et seq.*, for the purpose of receiving evidence,  
2 deliberating on the Application and the Supplement, and issuing a Recommended  
3 Opinion and Order.

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

|                       |   |
|-----------------------|---|
| 8 Thomas Chenal       | Chairman, Designee for Arizona Attorney General                       |
| 9 Leonard Drago       | Designee for Director, Arizona Department of<br>Environmental Quality |
| 10 John R. Riggins    | Designee for Director, Arizona Department of Water<br>Resources       |
| 11 Zachary Branum     | Designee of the Chairman, Arizona Corporation<br>Commission           |
| 12 Karl Gentles       | Appointed Member, representing the general public                     |
| 13 Jack Haenichen     | Appointed Member, representing the general public                     |
| 14 Patricia A. Noland | Appointed Member, representing the general public                     |
| 15 Mary Hamway        | Appointed Member, representing cities and towns                       |
| 16 James A. Palmer    | Appointed Member, representing agriculture                            |
| 17 Rick Grinnell      | Appointed Member, representing counties                               |

18 19. At the hearing, APS was represented by APS in-house counsel Linda  
19 Benally and Matt Derstine of Snell & Wilmer L.L.P.

20 20. The testimony and evidence presented to the Committee was focused on the  
21 impacts of the proposed Project Changes. Specifically, the Committee heard testimony  
22 and evidence concerning: (i) the impacts of relocating the Affected Line Segment  
23 approximately 0.5 mile north of its current location; (ii) the impact of the construction of  
24 a new TS22 Substation; (iii) the impacts of the expansion of the Avery Substation within  
25 the Avery Substation Siting Area; and (iv) proposed changes to CEC 120 and CEC 131.

26 21. At the conclusion of the hearing, the Committee, after considering (i) the  
27  
28

1 Application and the Supplement; (ii) evidence, testimony, and exhibits presented by APS;  
2 and (iii) comments of the public, upon motion duly made and seconded, voted 10 to 0 to  
3 approve this "Recommended Opinion and Order" dated July 28, 2021.

4 22. The Committee's Recommended Opinion and Order includes the Findings  
5 of Fact and Conclusions of Law set forth below.

6 **Line Siting Committee Findings of Fact and Conclusions of Law.**

7 23. The Project Changes aid the state and the southwest region in meeting the  
8 need for an adequate, economical, and reliable supply of electric power.

9 24. The Project Changes aid the state in preserving a safe and reliable electric  
10 transmission system.

11 25. The Project Changes are in the public interest because the Project Changes'  
12 contribution to meeting the need for an adequate, economical, and reliable supply of  
13 electric power outweighs the minimized impact of the Project Changes on the  
14 environment and ecology of the state.

15 **CONCLUSIONS OF LAW**

16 1. The Project Changes are in the public interest because they aid the state in  
17 meeting the need for an adequate, economical, and reliable supply of electric power.

18 2. In balancing the need for the Project Changes with their effect on the  
19 environment and ecology of the state, the conditions placed on the Project Changes  
20 effectively minimize the impact on the environment and ecology of the state.

21 **ORDER**

22 IT IS THEREFORE ORDERED that except as modified by this Order, Decision No.  
23 65997 (June 18, 2003) as amended by Decision No. 73824 (April 10, 2013), and Decision No.  
24 69343 (February 20, 2007), shall remain in full force and effect.

25 IT IS FURTHER ORDERED that Decision No. 69343 (February 20, 2007) is modified at  
26 page 3 of CEC 131, to substitute the sentence on lines 6-7 with the following language: "The  
27  
28

1 Project is a double-circuit transmission line with one 500kV circuit and one 230kV circuit and  
2 three substations.”

3 IT IS FURTHER ORDERED that Decision No. 69343 is modified to permit the  
4 relocation of the Affected Line Segment within a new corridor approximately 0.5 mile to the  
5 north of its current location (New Alignment) by modifying the description of the route and  
6 corridor of the existing Morgan – Pinnacle Peak Line on page 3, lines 11 to 22 of CEC 131 as  
7 shown on Exhibit A with the following language:

8 Corridor (“Navajo Corridor”) (State Land ROW No. 14-26216), following the  
9 Navajo Corridor southwest to a point 0.5 mile south of SR 74 in a 1,500 foot-wide  
10 corridor measured to the east from the westernmost edge of the existing Navajo  
11 Corridor right-of-way. From this point, the route proceeds southeast for  
12 approximately 1,400 feet to a point approximately 1,250 feet north of the Dove  
13 Valley Road alignment, described as Latitude 33°47’13” North and Longitude -  
14 112°16’42” West within Section 8, Township 5 North, Range 1 East, in the 1,500-  
15 foot corridor measured to the east from the westernmost edge of the existing  
16 Navajo Corridor right-of-way.

17 The route then turns east and follows the alignment 1,250 feet north of the  
18 Dove Valley Road alignment east to a point approximately 0.2 mile east of the  
19 67th Avenue alignment, within Section 7, Township 5 North, Range 2 East  
20 G&SRB&M, in a 3,000-foot corridor (1,500 feet north and 1,500 feet south)  
21 centered on the section line designating the Dove Valley Road alignment.

22 A New Corridor extends north 3,900 feet from a point that is 0.2 mile east  
23 of the 67<sup>th</sup> Avenue alignment and 1,000 feet north of the Dove Valley Road  
24 alignment. The New Corridor extends east to a point 0.3 mile west of the 51<sup>st</sup>  
25 Avenue alignment. From the point 0.3 mile west of the 51<sup>st</sup> Avenue alignment, the  
26 corridor narrows to the south by 1,095 feet to a corridor width that is now 2,805  
27  
28

1 feet wide. Continuing from this point, the corridor extends east to a point 1,000  
2 feet east of the 39<sup>th</sup> Avenue alignment. The corridor then turns south to the Dove  
3 Valley Road alignment as a 2,000-foot wide corridor, centered on the 39<sup>th</sup> Avenue  
4 alignment.

5 The New Alignment proceeds east from a point 0.2 mile east of the 67<sup>th</sup>  
6 Avenue alignment and 1,250 feet north of the Dove Valley Road alignment, within  
7 Section 7, Township 5 North, Range 2 East G&SRB&M within the 3,900-foot  
8 wide corridor for approximately 0.85 mile to a point approximately 0.8 mile west  
9 of the 51st Avenue alignment within Section 8, Township 5 North, Range 2 East  
10 G&SRB&M.

11 From this point, the New Alignment proceeds northeast approximately 0.35  
12 mile within the 3,900-foot wide corridor to a point (Latitude 33°47'25" North  
13 Longitude -112°10'47"), along the half-section line of Section 8, Township 5  
14 North, Range 2 East G&SRB&M between SR 74 and the Dove Valley Road  
15 Alignment where the line would form an in and out interconnection to the TS22  
16 Substation. The TS22 Substation will be approximately 80 acres and sited within  
17 the approximate 475-acre TS22 Substation Siting Area which is described as  
18 follows:

19 The TS22 Substation Siting Area boundary begins at a point  
20 3,805 feet north of the Dove Valley Road alignment on the 51st  
21 Avenue alignment. The boundary continues east for 0.5 mile to a  
22 point 0.5 mile east of the 51st Avenue alignment and 3,805 feet  
23 north of the Dove Valley Road alignment. The boundary proceeds  
24 south for 2,485 feet to a point 0.5 mile east of the 51st Avenue  
25 alignment and 1,320 feet north of the Dove Valley Road alignment.  
26 From this point, the boundary proceeds west for approximately 1.7  
27  
28

1 miles to a point 1.2 miles west of the 51st Avenue alignment. The  
2 boundary turns and continues northeast for approximately 1.1 miles  
3 to a point 0.3 mile west of the 51st Avenue alignment and  
4 approximately 380 feet south of SR74. The boundary proceeds  
5 south for approximately 1,095 feet to a point 0.3 mile west of the  
6 51st Avenue alignment and 3,805 feet north of the Dove Valley  
7 Road alignment. The boundary continues east for approximately 0.3  
8 mile back to the starting point of the boundary.

9 The New Alignment proceeds east from the point of the in and out  
10 interconnection for TS22 for approximately 0.3 mile within the 3,900-foot corridor  
11 along the half section line of Section 8 of Township 5 North, Range 2 East  
12 G&SRB&M to a point 0.3 mile west of the 51<sup>st</sup> Avenue alignment.

13 The New Alignment continues east for approximately 2.15 miles within the  
14 2,805-foot section of the corridor along the half section line of Sections 8, 9, and  
15 10 of Township 5 North, Range 2 East G&SRB&M to a point at the 39th Avenue  
16 alignment.

17 From that point the New Alignment continues following the 39th Avenue  
18 alignment south within the 2,000-foot corridor for 0.5 mile to the Dove Valley  
19 Road alignment where the New Alignment ties back into the existing line.

20 Continuing from this point the route follows the 39th Avenue alignment  
21 south for 1.0 miles to the Lone Mountain Road alignment in a 2,000-foot corridor  
22 (1,000 feet east and 1,000 feet west) centered on the mid-section line designating  
23 39th Avenue.

24 The New Alignment and TS22 Substation Siting Area are shown and described on  
25 Exhibit A to this Order.

26 IT IS FURTHER ORDERED that APS is specifically authorized to relocate the Affected  
27  
28

1 Line Segment to the New Alignment utilizing a 150-foot right-of-way.

2 IT IS FURTHER ORDERED that the relocation and construction of the Affected Line  
3 Segment within the New Alignment shall be conditioned on compliance with the conditions set  
4 forth on Exhibit B (New Conditions).

5 IT IS FURTHER ORDERED that APS is specifically authorized to construct the TS22  
6 Substation, within the TS22 Substation Siting Area as shown and described on Exhibit A.

7 IT IS FURTHER ORDERED that the construction of the TS22 Substation shall be  
8 conditioned on compliance with the New Conditions.

9 IT IS FURTHER ORDERED that the evidentiary record in Decision No. 65997 is  
10 amended to authorize APS to expand the size of the Avery Substation to approximately 64 acres  
11 within the Avery Substation Siting Area as shown and described on Exhibit A.

12 IT IS FURTHER ORDERED that the construction of the Avery Substation shall be  
13 conditioned on compliance with the New Conditions.

14 DATED this 30<sup>th</sup> day of July, 2021.

15  
16 THE ARIZONA POWER PLANT AND  
17 TRANSMISSION LINE SITING COMMITTEE

18 By:   
19 \_\_\_\_\_  
20 Thomas K. Chenal, Chairman

21  
22  
23  
24  
25  
26  
27  
28

ORDER

1  
2       **DECISION NO. 65997 AND DECISION NO. 69343 ARE INCORPORATED**  
3 **HEREIN AND IS APPROVED AS MODIFIED BY THE ORDER OF THE**  
4 **ARIZONA CORPORATION COMMISSION**

5  
6       **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**  
7

8  
9 \_\_\_\_\_  
10 CHAIRWOMAN MARQUEZ PETERSON

COMMISSIONER KENNEDY

11  
12 \_\_\_\_\_  
13 COMMISSIONER OLSON

COMMISSIONER TOVAR

COMMISSIONER O'CONNOR

14                               IN WITNESS WHEREOF, I, MATTHEW J.  
15                               NEUBERT, Executive Director of the Arizona  
16                               Corporation Commission, have hereunto, set my  
17                               hand and caused the official seal of this  
18                               Commission to be affixed at the Capitol, in the  
19                               City of Phoenix, this \_\_\_\_ day of \_\_\_\_\_,  
20                               2021.

21 \_\_\_\_\_  
22 MATTHEW J. NEUBERT  
23 EXECUTIVE DIRECTOR

24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

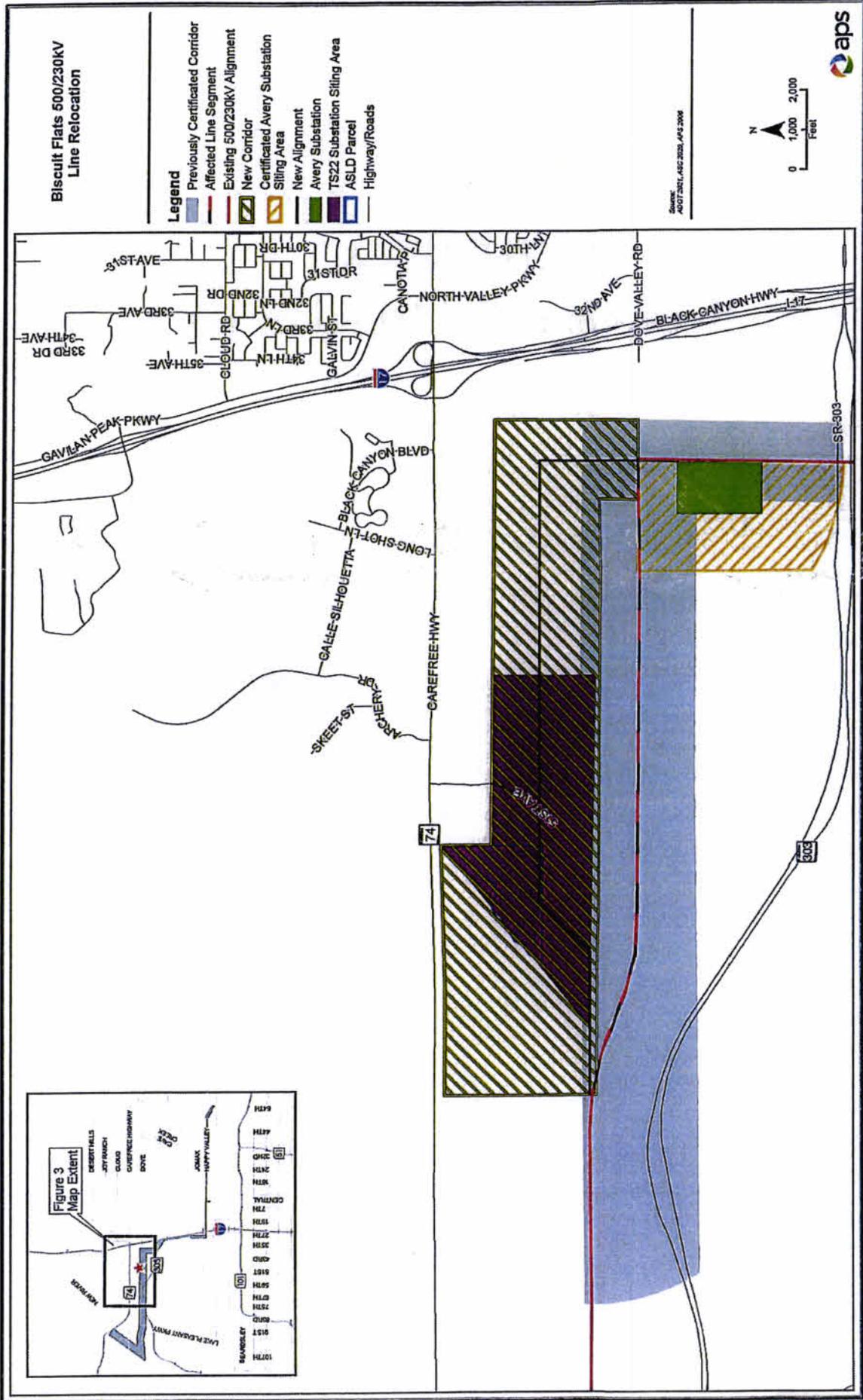
DISSENT: \_\_\_\_\_

L-00000D-02-0120

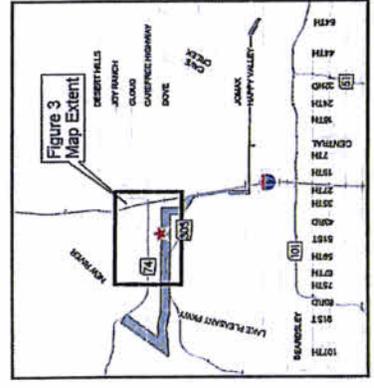
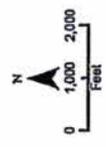
L-00000D-06-0635-00131

**EXHIBIT A**  
**To the Recommended Opinion and Order**

EXHIBIT A  
 L-00000D-02-0120  
 L-00000D-06-0635-00131



DATE: 11/14/2011, 1:42:28 PM, 4643 2006



L-00000D-02-0120  
L-00000D-06-0635-00131

**EXHIBIT B**  
**To the Recommended Opinion and Order**

CONDITIONS

This Certificate for the Project Changes (hereinafter referred to as the "Project") is granted upon the following conditions:

1. This authorization to construct the Project shall expire ten (10) years from the date this Certificate is approved by the Commission, with or without modification. Construction of the Project shall be complete, such that the Project is in-service within this ten-year timeframe. However, prior to the expiration of the time period, APS may request that the Commission extend the time limitation.
2. In the event the Project requires an extension of the term(s) of this Certificate prior to completion of construction, APS shall file such time extension request at least one hundred eighty (180) days prior to the expiration date of the Certificate. APS shall use reasonable means to promptly notify the Board of Supervisors of Maricopa County, the City of Phoenix, Arizona State Land Department ("ASLD"), and all cities and towns within a five (5) mile radius of the centerline of the Project and all landowners and residents within a five (5) mile radius of the centerline of the Project, all persons who made public comment at this proceeding who provided a mailing or email address, and all parties to this proceeding. The notification provided will include the request and the date, time, and place of the hearing or open meeting during which the Commission will consider the request for extension. Notification shall be no more than three (3) business days after APS is made aware of the hearing date or the open meeting date.
3. During the development, construction, operation, maintenance, and reclamation of the Project, APS shall comply with all existing applicable air and water pollution control standards and regulations, and with all existing applicable statutes, ordinances, master plans, and regulations of any governmental entity having jurisdiction including, but not limited to, the

**EXHIBIT B**

L-00000D-02-0120

L-00000D-06-0635-00131

United States of America, the State of Arizona, Maricopa County, the City of Phoenix, ASLD and their agencies or subdivisions including, but not limited to, the following:

- a. All applicable land use regulations;
- b. All applicable zoning stipulations and conditions including, but not limited to, landscaping and dust control requirements;
- c. All applicable water use, discharge and/or disposal requirements of the Arizona Department of Water Resources and the Arizona Department of Environmental Quality;
- d. All applicable noise control standards; and
- e. All applicable regulations governing storage and handling of hazardous chemicals and petroleum products.

4. APS shall obtain all approvals and permits necessary to construct, operate and maintain the Project required by any governmental entity having jurisdiction including, but not limited to, the United States of America, the State, Maricopa County, the City of Phoenix, ASLD, and their agencies and subdivisions.

5. APS shall comply with the Arizona Game and Fish Department ("AGFD") guidelines for handling protected animal species, should any be encountered during construction and operation of the Project, and shall consult with AGFD as necessary on other issues concerning wildlife.

6. APS shall design the Project to incorporate reasonable measures to minimize electrocution of and impacts to avian species. Such measures will be accomplished through compliance with the Avian Power Line Interaction Committee guidelines set forth in the 2006 Electrocution Manual and the 2012 Collision Manual.

7. APS shall consult with the ASLD and the State Historical Preservation Office ("SHPO") with respect to cultural resources. If any archaeological, paleontological, or historical site or a significant object is discovered on state, county, or municipal land during the

**EXHIBIT B**

L-00000D-02-0120

L-00000D-06-0635-00131

construction or operation of the Project, APS or its representative in charge shall promptly report the discovery to the Director of the Arizona State Museum ("ASM"), and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery as required by A.R.S. § 41-844.

8. APS shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize the destruction of native plants during the construction and operation of the Project.

9. APS shall make every reasonable effort to promptly investigate, identify, and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the Project addressed in this Certificate and where such interference is caused by the Project take reasonable measures to mitigate such interference. APS shall maintain written records for a period of five (5) years of all complaints of radio or television interference attributable to operations, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained. Upon request, the written records shall be provided to the Staff of the Commission. APS shall respond to complaints and implement appropriate mitigation measures. In addition, the Project shall be evaluated on a regular basis so that damaged insulators or other line materials that could cause interference are repaired or replaced in a timely manner.

10. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities related to the construction or maintenance of the Project, APS shall cease work on the affected area of the Project and notify the Director of the ASM as required by A.R.S. § 41-865.

11. Within one hundred twenty (120) days of the Commission's decision approving this Certificate, APS shall post signs in or near public rights-of-way, to the extent authorized by law,

**EXHIBIT B**

L-00000D-02-0120

L-00000D-06-0635-00131

along the route of the Project giving notice of the Project. Such signage shall be no smaller than a roadway sign. The signs shall advise:

- a. Future site of the Project;
- b. A phone number and website for public information regarding the Project; and
- c. Refer the Public to the Docket <https://edocket.azcc.gov/Search/Docket-Search>.

Such signs shall be inspected at least once annually and, if necessary, be repaired or replaced, and removed at the completion of construction.

12. At least ninety (90) days before construction commences on the Project, APS shall provide cities and towns within five (5) miles of the Project, the Board of Supervisors for Maricopa County, and ASLD, and known builders and developers who are building upon or developing land within one (1) mile of the centerline of the Project with a written description, including height and width measurements of all structure types, of the Project. The written description shall identify the location of the Project and contain a pictorial depiction of the facilities being constructed. APS shall also encourage the developers and builders to include this information in their disclosure statements.

13. APS shall use non-specular conductors and non-reflective surfaces for the transmission line structures on the Project.

14. APS shall be responsible for arranging that all field personnel involved in the Project receive training as to proper ingress, egress, and on-site working protocol for environmentally sensitive areas and activities. Contractors employing such field personnel shall maintain records documenting that the personnel have received such training.

15. APS shall follow the most current Western Electricity Coordinating Council ("WECC") and North American Electric Reliability Corporation ("NERC") planning standards, as approved by the Federal Energy Regulatory Commission ("FERC"), National Electrical Safety Code ("NESC") standards and Federal Aviation Administration ("FAA") regulations.

16. APS shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.

17. When Project facilities are located parallel to and within one hundred (100) feet of any existing natural gas or hazardous liquid pipeline, APS shall:

- a. Ensure grounding and cathodic protection studies are performed to show that the Project's location parallel to and within one hundred (100) feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. APS shall take appropriate steps to ensure that any material adverse impacts are mitigated. APS shall provide to Staff of the Commission, and file with Docket Control, a copy of the studies performed and additional mitigation, if any, that were implemented as part of its annual compliance-certification letter; and
- b. Ensure that studies are performed simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within one hundred (100) feet of the existing natural gas or hazardous liquid pipeline. The studies should either: i) show that such simulated outage does not result in customer outages, or ii) include operating plans to minimize any resulting customer outages. APS shall provide a copy of the study results to Staff of the Commission and file them with Docket Control as part of APS's annual compliance certification letter.

18. APS shall submit a compliance certification letter annually, identifying progress made with respect to each condition contained in this Certificate, including which conditions have been met. The letter shall be submitted to the Commission's Docket Control commencing December 1, 2021. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of the letter, along with the corresponding

**EXHIBIT B**

L-00000D-02-0120

L-00000D-06-0635-00131

documentation, shall be submitted to the Arizona Attorney General's Office. With respect to the Project, the requirement for the compliance certification letter shall expire on the date the Project is placed into operation. Notification of such filing with Docket Control shall be made to the Board of Supervisors for Maricopa County, the City of Phoenix, ASLD, all parties to this Docket, and all parties who made a limited appearance in this Docket.

19. APS shall provide a copy of this Certificate to the Board of Supervisors for Maricopa County, the City of Phoenix, and ASLD.

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

21. In the event APS, its assignee, or successor seeks to modify the Certificate terms at the Commission, it shall provide copies of such request to the Board of Supervisors for Maricopa County, the City of Phoenix, ASLD, all parties to this Docket, and all parties who made a limited appearance in this Docket.

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