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BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF A.R.S. § 40-360 ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE WILDCAT AND CYCLONE TRANSMISSION LINE PROJECT, WHICH INCLUDES THE CONSTRUCTION OF NEW 230-KILOVOLT SINGLE CIRCUIT TRANSMISSION LINES, WITH THE INTERCONNECTION ORIGINATING AT THE EXISTING APS PALM VALLEY-RUDD 230-KV TRANSMISSION LINE (RUDD TRANSMISSION LINE), PROCEEDING TO THE TS15 SUBSTATION, NE QUARTER OF THE SW QUARTER OF SECTION 21 OF TOWNSHIP 1 NORTH, RANGE 1 WEST, CONTINUING TO THE TS18 SUBSTATION, SE QUARTER OF THE SE QUARTER OF SECTION 21 OF TOWNSHIP 1 NORTH, RANGE 1 WEST, AND CONTINUING SOUTH TERMINATING AT THE RUDD TRANSMISSION LINE LOCATED WITHIN MARICOPA COUNTY, ARIZONA.

Docket No.: L-00000D-19-0196-00183

Case No. 183

NOTICE OF FILING CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Arizona Corporation Commission

DOCKETED

SEP 30 2019

DOCKETED BY

[Signature]

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Thomas K, Chenal, designee of the Attorney General of Arizona, Mark Brnovich, as Chairman and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee, gives notice of a separately filed Certificate of Environmental Compatibility with Docket Control of the Arizona Corporation Commission.

DATED this 30th day of September, 2019.

[Signature]

Thomas K. Chenal, Chairman Arizona Power Plant and Transmission Line Siting Committee Assistant Attorney General Thomas.Chenal@azag.gov

CERTIFICATION OF MAILING

Pursuant to A.A.C. R14-3-204, the **ORIGINAL** of the foregoing and 26 copies were filed this 30th day of September, 2019 with:

Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

COPIES of the foregoing mailed this 1st day of October, 2019 to:

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

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IN THE MATTER OF THE
APPLICATION OF ARIZONA PUBLIC
SERVICE COMPANY, IN
CONFORMANCE WITH THE
REQUIREMENTS OF A.R.S. § 40-360 *ET*
SEQ., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE WILDCAT AND
CYCLONE TRANSMISSION LINE
PROJECT, WHICH INCLUDES THE
CONSTRUCTION OF NEW 230-
KILOVOLT SINGLE CIRCUIT
TRANSMISSION LINES, WITH THE
INTERCONNECTION ORIGINATING AT
THE EXISTING APS PALM VALLEY-
RUDD 230-KV TRANSMISSION LINE
(RUDD TRANSMISSION LINE),
PROCEEDING TO THE TS15
SUBSTATION, NE QUARTER OF THE
SW QUARTER OF SECTION 21 OF
TOWNSHIP 1 NORTH, RANGE 1 WEST,
CONTINUING TO THE TS18
SUBSTATION, SE QUARTER OF THE
SE QUARTER OF SECTION 21 OF
TOWNSHIP 1 NORTH, RANGE 1 WEST,
AND CONTINUING SOUTH
TERMINATING AT THE RUDD
TRANSMISSION LINE LOCATED
WITHIN MARICOPA COUNTY,
ARIZONA.

DOCKET NO. L-00000D-19-0196-00183

Case No. 183

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Introduction

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee (Committee) held public hearings on September 24 through September 26, 2019, in Goodyear, Arizona, in conformance with the requirements of the Arizona Revised Statutes (A.R.S.) § 40-360, *et seq.*, for the purpose of receiving evidence and deliberating on the August 14, 2019 Application of Arizona Public Service Company (Applicant) for a Certificate of Environmental Compatibility (Certificate) in the above-captioned case (Wildcat and Cyclone 230kV Transmission

1 Line Project or Project).

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

5	Thomas Chenal	Chairman, Designee for Arizona Attorney General
6	Leonard Drago	Designee for Director, Arizona Department of 7 Environmental Quality
8	John R. Riggins	Designee for Director, Arizona Department of Water Resources
9	Laurie A. Woodall	Designee of the Chairman, Arizona Corporation 10 Commission
11	Jack Haenichen	Appointed Member, representing the general public
12	Patricia A. Noland	Appointed Member, representing the general public
13	Karl Gentles	Appointed Member, representing the general public
14	Mary Hamway	Appointed Member, representing the cities and towns
15	James A. Palmer	Appointed Member, representing agriculture

16 The Applicant was represented by J. Matthew Derstine of Snell & Wilmer and
17 Linda J. Benally of APS. The following parties were granted intervention pursuant to
18 A.R.S. § 40-360.05: Arizona Corporation Commission Utilities Division Staff.

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 (iii) comments of the public, and being advised of the legal requirements of the A.R.S.
22 §§ 40-360 through 40-360.13, upon motion duly made and seconded, voted 9 to 0 to
23 grant Applicant, its successors and assigns, this Certificate for construction of the
24 Project as described below.

25 **Overview of the Project**

26 The Project is being developed to serve two separate but adjacent data center
27 projects located northwest of the intersection of W. Broadway Road and S. Litchfield
28 Road in Goodyear, and referred to as the Wildcat Data Center and the Cyclone Data

1 Center. The Project will consist of new single-circuit 230kV transmission lines of
2 approximately 1.45 miles of total length designed to deliver power to the data center
3 projects, from the nearby existing Palm Valley to Rudd 230kV transmission line located
4 approximately 0.30 to 0.35 miles to the south of the Wildcat Data Center and Cyclone
5 Data Center sites. Applicant plans to use steel double-circuit capable monopoles and H-
6 frame structures for the Project.

7 A map and corridor description of the Project is attached as "Exhibit A".
8

9 **CONDITIONS**

10 This Certificate is granted upon the following conditions:

11 1. This authorization to construct the Project shall expire ten (10) years from
12 the date this Certificate is approved by the Arizona Corporation Commission, with or
13 without modification. Construction of the Project shall be complete, such that the
14 Project is in-service within this ten-year timeframe. However, prior to the expiration of
15 the time period, Applicant may request that the Commission extend the time limitation.

16 2. In the event that the Project requires an extension of the term(s) of this
17 Certificate prior to completion of construction, Applicant shall file such time extension
18 request at least one hundred eighty (180) days prior to the expiration date of the
19 Certificate. Applicant shall use reasonable means to promptly notify all cities and towns
20 within a five (5)-mile radius of the centerline of the Project and all landowners and
21 residents within a one (1)-mile radius of the centerline of the Project, all persons who
22 made public comment at this proceeding who provided a mailing or email address, and
23 all parties to this proceeding. The notification provided will include the request and the
24 date, time, and place of the hearing or open meeting during which the Commission will
25 consider the request for extension. Notification shall be no more than three (3) business
26 days after Applicant is made aware of the hearing date or the open meeting date.

27 3. During the development, construction, operation, maintenance and
28 reclamation of the Project, Applicant shall comply with all existing applicable air and

1 water pollution control standards and regulations, and with all existing applicable
2 statutes, ordinances, master plans, and regulations of any governmental entity having
3 jurisdiction, including, but not limited to, the United States of America, the State of
4 Arizona, Maricopa County, the City of Goodyear, and their agencies or subdivisions,
5 including but not limited to the following:

6 3.1 All applicable land use regulations;

7 3.2 All applicable zoning stipulations and conditions, including but not
8 limited to landscaping and dust control requirements;

9 3.3 All applicable water use, discharge and/or disposal requirements of
10 the Arizona Department of Water Resources and the Arizona
11 Department of Environmental Quality;

12 3.4 All applicable noise control standards; and

13 3.5 All applicable regulations governing storage and handling of
14 hazardous chemicals and petroleum products.

15 4. Applicant shall obtain all approvals and permits necessary to construct,
16 operate and maintain the Project required by any governmental entity having jurisdiction
17 including, but not limited to, the United States of America, the State of Arizona,
18 Maricopa County, and the City of Goodyear, and their agencies and subdivisions.

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

23 6. Applicant shall design the Project to incorporate reasonable measures to
24 minimize impacts to avian species. Such measures will be accomplished through
25 compliance with the 2006 standards of the Avian Power Line Interaction Committee,
26 and include the application of recommended measures to minimize the risk of collision,
27 as described in the 2012 guidelines of the Avian Power Line Interaction Committee. To
28 the extent applicable to the Project, Applicant will comply with the recommendations of

1 the AGFD set forth in its August 1, 2019 letter which is Exhibit APS-14 of the
2 Supplemental Packet filed on September 12, 2019.

3 7. Applicant shall consult with the State Historical Preservation Office
4 (SHPO) and the City of Goodyear with respect to cultural resources. If any
5 archeological, paleontological, or historical site, or a significant object is discovered on
6 state, county or municipal land during the construction or operation of the Project,
7 Applicant or its representative in charge shall promptly report the discovery to the
8 Director of the Arizona State Museum (ASM), and in consultation with the Director,
9 shall immediately take all reasonable steps to secure and maintain the preservation of the
10 discovery as required by A.R.S. § 41-844.

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

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

28 10. If human remains and/or funerary objects are encountered on private land

1 during the course of any ground-disturbing activities related to the construction or
2 maintenance of the Project, Applicant shall cease work on the affected area of the
3 Project and notify the Director of the Arizona State Museum as required by A.R.S. § 41-
4 865.

5 11. Within one hundred twenty (120) days of the Commission's decision
6 approving this Certificate, Applicant shall post signs in or near public rights-of-way, to
7 the extent authorized by law, along the route of the Project giving notice of the Project.
8 Such signage shall be no smaller than a roadway sign. The signs shall advise:

- 9 a. Future site of a APS power line; and
- 10 b. A phone number and website for public information regarding the
11 Project.

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

14 12. At least ninety (90) days before construction commences on the Project,
15 Applicant shall provide governmental entities within five (5) miles of the Project, and
16 known builders and developers who are building upon or developing land within one (1)
17 mile of the centerline of the Project with a written description, including height and
18 width measurements of all structure types, of the Project. The written description shall
19 identify the location of the Project and contain a pictorial depiction of the facilities being
20 constructed. Applicant shall also encourage the developers and builders to include this
21 information in their disclosure statements.

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

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

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

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

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

11 a. Ensure grounding and cathodic protection studies are performed to
12 show that the Project's location parallel to and within one hundred
13 (100) feet of such pipeline results in no material adverse impacts to
14 the pipeline or to public safety when both the pipeline and the
15 Project are in operation. Applicant shall take appropriate steps to
16 ensure that any material adverse impacts are mitigated. Applicant
17 shall provide the Commission Staff and file with Docket Control a
18 copy of the studies performed and additional mitigation, if any, that
19 were implemented as part of its annual compliance certification
20 letter; and

21 b. Ensure that studies are performed simulating an outage of the
22 Project that may be caused by the collocation of the Project parallel
23 to and within one hundred (100) feet of the existing natural gas or
24 hazardous liquid pipeline. The studies should either: i) show that
25 such simulated outage does not result in customer outages; or ii)
26 include operating plans to minimize any resulting customer outages.
27 Applicant shall provide a copy of the study results to the
28 Commission Staff and file them with Docket Control as part of

1 Applicant's annual compliance certification letter.

2 18. Applicant shall submit a compliance certification letter annually,
3 identifying progress made with respect to each condition contained in this Certificate,
4 including which conditions have been met. The letter shall be submitted to
5 Commission's Docket Control commencing on December 1, 2020. Attached to each
6 certification letter shall be documentation explaining how compliance with each
7 condition was achieved. Copies of the letter, along with the corresponding
8 documentation, shall be submitted to the Arizona Attorney General's Office. With
9 respect to the Project, the requirement for the compliance letter shall expire on the date
10 the Project is placed into operation. Notification of such filing with Docket Control
11 shall be made to the Board of Supervisors for Maricopa County, the City of Goodyear,
12 and all parties to this Docket.

13 19. Applicant shall provide a copy of this Certificate to the Board of
14 Supervisors for Maricopa County, the Cities of Goodyear, Avondale and Phoenix,
15 Arizona State Land Department, Bureau of Land Management and Phoenix Goodyear
16 Airport.

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

21 21. In the event Applicant, its assignee, or successor, seeks to modify the
22 Certificate terms at the Commission, it shall provide copies of such request to the Board
23 of Supervisors for County, the Cities of Goodyear, Avondale and Phoenix, Arizona State
24 Land Department, Bureau of Land Management, Phoenix Goodyear Airport and all
25 parties to this Docket.

26 22. The Certificate Conditions shall be binding on Applicant, its successors,
27 assignee(s) and transferees and any affiliates, agents, or lessees of Applicant who have a
28 contractual relationship with Applicant concerning the construction, operation,

1 maintenance or reclamation of the Project. Applicant shall provide in any agreement(s)
2 or lease(s) pertaining to the Project that the contracting parties and/or lessee(s) shall be
3 responsible for compliance with the Conditions set forth herein, and Applicant's
4 responsibilities with respect to compliance with such Conditions shall not cease or be
5 abated by reason of the fact that Applicant is not in control of or responsible for
6 operation and maintenance of the Project facilities.

7 23. Applicant shall continue to make good faith efforts to discuss, with private
8 landowners on whose property the Project is located, the specific location of the right-
9 of-way and alternatives for placement of poles. A copy of this Certificate shall be
10 provided to private landowners, and a description of the good faith efforts and
11 discussions shall be included in the annual compliance certification letter.

12 24. Applicant shall pursue reasonable efforts to work with private landowners
13 on whose property the Project will be located to mitigate the impacts of the location,
14 construction, and operation of the Project on private land and negotiate such right-of-
15 way agreements in good faith.

16 25. Any such right-of-way agreement shall, where practicable and after
17 consultation with the landowner, require Applicant, at a minimum to (a) use existing
18 roads for construction and access; (b) minimize impacts to wildlife; (c) minimize
19 vegetation disturbance outside of the Project right-of-way, particularly in drainage
20 channels and along stream banks; and (d) revegetate native areas following construction
21 disturbance unless revegetation is waived by the landowner.

22 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

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

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

EXHIBIT A

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Preferred Route Corridor

Beginning at the southwest corner of Parcel 500-07-984, the western boundary of the proposed corridor extends north along the parcel boundary approximately 1,750 feet to be aligned with the northern boundary of the (future) TS15 Substation. The corridor extends from the western parcel boundary 850 feet east.

From the same southwest corner of Parcel 500-07-984, the corridor extends east along the Broadway Rd right-of-way boundary for approximately 3,185 feet. The eastern most point is 500 feet east of the western boundary of Parcel 500-07-037G. The corridor then extends 750 feet north of the Broadway Rd right-of-way.

From the southwest corner of parcel 500-07-984, the western boundary of the corridor extends south along the western boundary of Parcels 500-80-015A and 500-80-012 approximately 2,065 feet, to the WAPA Liberty - Westwing and SRP Liberty - Rudd double-circuit 230kV transmission line right-of-way. From this western boundary, the corridor extends 500 feet to the east, with its southern border being defined by the WAPA Liberty - Westwing and SRP Liberty - Rudd double-circuit 230kV transmission line right-of-way, and the APS 230kV and APS/SRP Palo Verde - Rudd 500kV transmission line right-of-way.

The southeastern portion of the corridor will extend approximately 1,540 feet south from the intersection of the southeast corner of Parcel 500-01-984 and southwest corner of Parcel 500-07-037G, to the existing APS Palm Valley – Rudd 230kV transmission line right-of-way. The corridor will extend 250 feet to the west and east from this alignment, for a total width of 500 feet.

Wildcat and Cyclone 230kV Transmission Line Project

Preferred Route Corridor and Parcels

Project Features

- Parcel Boundary
- Proposed CEC Corridor
- 230kV Transmission Line Preferred Route
- Wildcat Site
- TS15 Substation
- Cyclone Site
- TS18 Substation
- Link Number
- Link Node

Existing Transmission Facilities

- 69kV Transmission Line
- 230kV Transmission Line
- 345kV Transmission Line
- 500kV Transmission Line



September 2019

