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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

FEB - 2 2012

COMMISSIONERS

Gary Pierce, Chairman

Bob Stump

Sandra D. Kennedy

Paul Newman

Brenda Burns

DOCKETED BY	me
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IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360, ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE NORTH GILA TO TS-8 TO YUCCA 230KV TRANSMISSION LINE PROJECT, WHICH INCLUDES THE CONSTRUCTION OF A DOUBLE-CIRCUIT 230KV TRANSMISSION LINE BETWEEN THE EXISTING NORTH GILA SUBSTATION, 5 MILES NORTHEAST OF THE CITY OF YUMA, YUMA COUNTY, ARIZONA, AT SECTION 11, TOWNSHIP 8 SOUTH, RANGE 22 WEST, GILA AND SALT RIVER BASELINE AND MERIDIAN (G&SRB&M) AND NEW 230KV SUBSTATION (TS-8), 4 MILES SOUTHEAST OF THE CITY OF YUMA, YUMA COUNTY, ARIZONA, AT SECTION 16,20, OR 21, TOWNSHIP 9 SOUTH, RANGE 22 WEST, G&SRB&M AND CONTINUING TO THE EXISTING YUCCA POWER PLANT, 2 MILES WEST OF THE CITY OF YUMA, YUMA COUNTY, ARIZONA, AT SECTION 36, TOWNSHIP 16 SOUTH, RANGE 21 EAST, SAN BERNARDINO BASELINE AND MERIDIAN (SBB&M).

CASE NO. 163

Docket No. L-00000D-11-0389-00163

DECISION NO. 72801

Open Meeting
January 26, 2012
Phoenix, Arizona

BY THE COMMISSION:

Pursuant to A.R.S. § 40-360, *et seq.*, after due consideration of all relevant matters, the Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee ("Siting Committee") is hereby approved as modified by this Order.

1 The Commission, in reaching its decision, has balanced all relevant matters in the broad
2 public interest, including the need for an adequate, economical and reliable supply of electric power
3 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
4 that the CEC for the above-captioned application for siting approval is in the public interest as
5 modified by this Order.

6
7 The Commission modifies the CEC to delete Condition No. 7 and replace it with a new
8 Condition No. 7 as follows:

- 9 7. This authorization to construct Phase 1 of this Project shall expire ten
10 (10) years from the date the CEC is approved by the Arizona
11 Corporation Commission (the "Commission"). This authorization to
12 construct Phase 2 of this Project shall expire fifteen (15) years from the
13 date the CEC is approved by the Commission. However, prior to such
14 expiration, Applicant may request that the Commission extend this time
15 limitation. If construction of Phase 2 of the Project is not completed
16 within fifteen (15) years from the date the CEC is approved by the
17 Commission and Applicant requests an extension of the term of this
18 CEC for Phase 2, Applicant shall provide to the Commission an
19 additional showing of need for the Phase 2 route approved in the CEC.

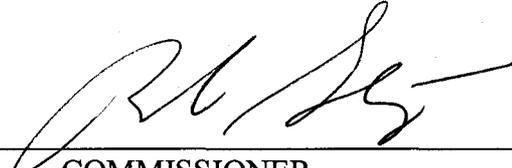
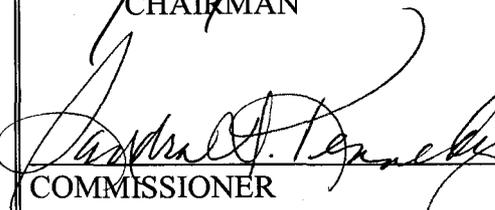
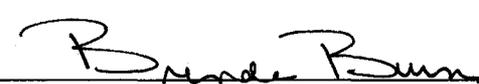
20
21 The Commission further finds and concludes that in balancing the broad public interest in this
22 matter:

- 23 1. The Project is in the public interest because it aids the state in meeting the need for an
24 adequate, economical and reliable supply of electric power.
- 25 2. In balancing the need for the Project with its effect on the environment and ecology of
26 the state, the conditions placed on the CEC as modified by the Commission effectively
27 minimize its impact on the environment and ecology of the state.

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- 3. The conditions placed on the CEC as modified by the Commission resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings, and as such, serve as the findings on the matters raised.
- 4. In light of these conditions, the balancing in the broad public interest results in favor of granting the CEC as modified by the Commission.

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

 <hr style="border: 0; border-top: 1px solid black;"/> CHAIRMAN	 <hr style="border: 0; border-top: 1px solid black;"/> COMMISSIONER	
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IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, 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 Capital, in the City of Phoenix, this 2nd day of February 2012.



 ERNEST G. JOHNSON
 Executive Director

DISSENT: _____

DISSENT: _____

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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 ARIZONA
REVISED STATUTES 40-360, ET SEQ.,
FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE NORTH GILA TO
TS-8 TO YUCCA 230KV
TRANSMISSION LINE PROJECT,
WHICH INCLUDES THE
CONSTRUCTION OF A DOUBLE-
CIRCUIT 230KV TRANSMISSION LINE
BETWEEN THE EXISTING NORTH
GILA SUBSTATION, 5 MILES
NORTHEAST OF THE CITY OF YUMA,
YUMA COUNTY, ARIZONA, AT
SECTION 11, TOWNSHIP 8 SOUTH,
RANGE 22 WEST, GILA AND SALT
RIVER BASELINE AND MERIDIAN
(G&SRB&M) AND A NEW 230KV
SUBSTATION (TS-8), 4 MILES
SOUTHEAST OF THE CITY OF YUMA,
YUMA COUNTY, ARIZONA,
AT SECTION 16, 20, OR 21, TOWNSHIP
9 SOUTH, RANGE 22 WEST,
G&SRB&M, AND CONTINUING TO
THE EXISTING YUCCA POWER
PLANT, 2 MILES WEST OF THE CITY
OF YUMA, YUMA COUNTY,
ARIZONA, AT SECTION 36,
TOWNSHIP 16 SOUTH, RANGE 21
EAST, SAN BERNARDINO BASELINE
AND MERIDIAN (SBB&M).

DOCKET NO. L-00000D-11-0389-00163

Case No. 163

**CERTIFICATE OF
ENVIRONMENTAL
COMPATIBILITY**

21
22 Pursuant to notice given as provided by law, the Arizona Power Plant and
23 Transmission Line Siting Committee (the "Committee") held public hearings on
24 November 29 and 30, 2011, in Yuma, Arizona, all in conformance with the requirements
25 of Arizona Revised Statutes ("A.R.S.") §§ 40-360, *et seq.*, for the purpose of receiving
26 evidence and deliberating on the Application of Arizona Public Service Company
27 ("Applicant" or "APS") for a Certificate of Environmental Compatibility ("CEC") in the
28 above-captioned case (the "Project").

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

4	John Foreman	Chairman, Designee for Arizona Attorney General Thomas C. Horne
5		
6	Bret Parke	Designee for Director, Arizona Department of Environmental Quality
7		
8	Jack Haenichen	Designee for Director, Arizona Governor's Office of Energy Policy
9		
10	Jeff McGuire	Appointed Member
11	Patricia A. Noland	Appointed Member
12	Michael Palmer	Appointed Member
13	Paul Walker	Appointed Member
14	David Richins	Appointed Member

15 Applicant was represented by Thomas H. Campbell of Lewis & Roca LLP and
16 Linda J. Arnold of Arizona Public Service Company. At the conclusion of the hearing,
17 the Committee, after considering the Application, the evidence, testimony and exhibits
18 presented at the hearing, and being advised of the legal requirements of A.R.S. §§ 40-
19 360 to 40-360.13, and upon motion duly made and seconded, voted 8 to 0 to grant
20 Applicant this CEC.

21 The Project as approved consists of a new double-circuit 230kV transmission line
22 between the existing North Gila Substation and the TS-8 Substation, and then continuing
23 to the Yucca Power Plant, and a new 230kV Substation (TS-8 Substation). The new
24 double-circuit 230kV transmission line will be constructed in two phases: (1) North
25 Gila Substation to TS-8 Substation, and (2) TS-8 Substation to Yucca Power Plant. The
26 North Gila Substation to TS-8 Substation (Phase 1) begins at the existing North Gila
27 Substation, 5 miles northeast of the city center of Yuma, Yuma County, Arizona and
28

1 extends to the TS-8 Substation, 4 miles southeast of the city center of Yuma, Yuma
2 County, Arizona. The TS-8 Substation to Yucca Power Plant transmission line (Phase
3 2) begins at the TS-8 Substation and extends to the existing Yucca Power Plant, 2 miles
4 west of the city center of Yuma, Yuma County, Arizona. The 230kV transmission line
5 will be constructed primarily with monopole structures. The TS-8 Substation site will
6 require approximately 20 acres, and will be located approximately 4 miles southeast of
7 the city center of Yuma, at Section 16, 20, or 21, Gila and Salt River Baseline and
8 Meridian (G&SRB&M).

9 The right-of-way width for the 230kV transmission line will be up to 100 feet
10 within a general corridor that is 500 to 2,320 feet in total width for the route (described
11 below) to provide for necessary flexibility during final design and engineering of the
12 Project. A map of the general location of the Project is set forth in Exhibit A, attached
13 hereto. The Project route will be as follows:

14 **1. North Gila to TS-8 Route (Phase 1)**

15 The North Gila to TS-8 Route will originate at the existing southwest corner of
16 the North Gila Substation located in Section 11, Township 8 South, Range 22 West
17 G&SRB&M, proceeding southwest approximately 0.2 mile to the intersection of
18 Avenue 8E and County 6th Street in a 2,000-foot corridor (1,000 feet on either side of the
19 centerline). Then the route will proceed south along Avenue 8E approximately 0.5 mile
20 to the alignment of County 6½ Street in a 2,000-foot corridor (1,000 feet on either side
21 of the centerline of Avenue 8E). Then the route will proceed east along County 6½
22 Street approximately 1 mile to the existing Western Area Power Administration
23 ("WAPA") utility right-of-way in a 1,000-foot corridor (1,000 feet on the south side of
24 the centerline of County 6½ Street).

25 The route will proceed southeast in a 1,200-foot corridor consisting of the 200-
26 foot WAPA right-of-way and a 1,000-foot corridor adjacent to the eastern edge of the
27 WAPA right-of-way for approximately 0.6 mile to the point where the WAPA right-of-
28 way proceeds south. The route will proceed south in a 700-foot corridor consisting of

1 the 200-foot WAPA right-of-way and a 500-foot corridor adjacent to the eastern edge of
2 the WAPA right-of-way for approximately 2.6 miles to the alignment of County 9½
3 Street.

4 At this point the corridor continues south in a 200-foot corridor within the
5 existing 200-foot WAPA right-of-way for approximately 0.6 mile, and also proceeds
6 east along County 9½ Street for approximately 0.3 mile, where the route will proceed
7 southeast to the Avenue 10E alignment in a 1,000-foot corridor (500 feet on either side
8 of the centerline of the County 9½ Street, and the southeast segment centerline). Then
9 the route will proceed south along the Avenue 10E alignment for approximately 0.3 mile
10 to the alignment of the UPRR in a 1,000-foot corridor (500 feet on either side of the
11 centerline of Avenue 10E). Then the route will proceed southwest adjacent to the UPRR
12 for approximately 0.6 mile until reaching the crossing of the A Canal in a 2,000-foot
13 corridor (1,000 feet on either side of the UPRR right-of-way centerline).

14 The route will continue southwest adjacent to the A Canal approximately 3.7
15 miles to the Yuma Area Service Highway (ASH) alignment in a 2,000-foot corridor
16 (1,000 feet on either side of the centerline of the A Canal). The route will proceed south
17 along the Yuma ASH alignment approximately 1.2 miles to the County 13½ Street
18 alignment in a 2,000-foot corridor (500 feet west of the centerline of the Yuma ASH,
19 and 1,500 feet east of the centerline of the Yuma ASH).

20 Then the route will proceed west along the County 13½ Street alignment
21 approximately 1 mile to Avenue 5½ E in a 2,320-foot corridor (1,000 feet on the south
22 side and 1,320 feet on the north side of the centerline of County 13½ Street alignment).
23 The route will proceed south approximately 0.5 mile to the TS-8 termination point at
24 County 14th Street in a 2,000-foot corridor (1,000 feet on either side of the centerline of
25 Avenue 5½ E).

26 **2. TS-8 to Yucca Route (Phase 2)**

27 The TS-8 to Yucca Route will proceed west from the western edge of the TS-8
28 Substation siting area along County 14th Street approximately 1.2 miles to the A Canal

1 in a 1,000-foot corridor (500 feet on either side of the centerline of County 14th Street).
2 Then the route will proceed southwest along the A Canal approximately 0.6 mile to
3 Avenue 4E in a 500-foot corridor (500 feet on the southeast side of the centerline of the
4 A Canal). Then the route will proceed west along County 14½ Street approximately
5 5 miles to US 95 in a 1,500-foot corridor (1,500 feet on the south side of the centerline
6 of County 14½ Street). Then the route will proceed north along US 95 approximately 1
7 mile to the County 13½ Street alignment in a 1,000-foot corridor (500 feet on either side
8 of the centerline of US 95).

9 Then the route will proceed west along the County 13½ Street alignment
10 approximately 3.5 miles to Somerton Avenue in a 500-foot corridor (500 feet on the
11 north side of the centerline of the County 13½ Street alignment). Then the route will
12 proceed north along Somerton Avenue approximately 0.5 mile to County 13th Street in a
13 500-foot corridor (500 feet on the east side of the centerline of Somerton Avenue). Then
14 the route will proceed west along County 13th Street approximately 0.5 mile to Avenue F
15 in a 500-foot corridor (500 feet on the north side of the centerline of County 13th Street).
16 Then the route will proceed north along Avenue F approximately 5.2 miles to Levee
17 Road in a 1,000-foot corridor (500 feet on either side of the centerline of the Avenue F
18 alignment).

19 Then the route will proceed northeast along Levee Road approximately 0.2 miles
20 to a point 1,700 feet north of the 8th Street alignment centerline in a 500-foot corridor
21 (500 feet on the eastern side of the centerline of Levee Road). Then the route will
22 proceed east along a centerline located 1,700 feet north of the 8th Street alignment
23 centerline approximately 0.5 mile to Calle Agua Salada Road in a 1,000-foot corridor
24 (500 feet on either side of the centerline located 1,700 feet north of the 8th Street
25 alignment centerline). Then the route will proceed north along Calle Agua Salada Road
26 approximately 0.1 mile until reaching the termination point at the Yucca Power Plant
27 located in Section 36, Township 16 South, Range 21 East, SBB&M, in a 1,000-foot
28 corridor (500 feet on either side of the centerline of Calle Agua Salada Road).

- 1 2.3 all applicable water use, discharge, and/or disposal requirements of
2 the Arizona Department of Water Resources (the "ADWR") and the
3 Arizona Department of Environmental Quality (the "ADEQ");
- 4 2.4 all applicable noise control standards; and
- 5 2.5 all applicable regulations governing storage and handling of
6 hazardous chemicals and petroleum products.
- 7 3. Applicant shall obtain all approvals and permits required by the United
8 States, the State of Arizona and any other governmental entities having
9 jurisdiction necessary to construct the Project.
- 10 4. If any archaeological site, paleontological site, historical site or an object
11 that is at least fifty years old is discovered on state, county or municipal
12 land during construction of the Project, Applicant or its representative in
13 charge shall promptly report the discovery to the Director of the Arizona
14 State Museum, and in consultation with the Director, shall immediately
15 take all reasonable steps to secure and maintain the preservation of the
16 discovery as required by A.R.S. § 41-844.
- 17 5. If human remains and/or funerary objects are encountered on private land
18 during the course of any ground-disturbing activities relating to the
19 construction of the Project, Applicant shall cease work on the affected area
20 of the Project and notify the Director of the Arizona State Museum as
21 required by A.R.S. § 41-865.
- 22 6. Applicant shall comply with the notice and salvage requirements of the
23 Arizona Native Plant Law (A.R.S. §§ 3-901, *et seq.*) and shall, to the
24 extent feasible, minimize the destruction of native plants during Project
25 construction.
- 26 7. This authorization to construct this Project shall expire ten (10) years from
27 the date the CEC is approved by the Arizona Corporation Commission
28 (the "Commission"). However, prior to such expiration, Applicant may

1 request that the Commission extend this time limitation. If construction of
2 Phase 2 of the Project does not commence before the term of this CEC
3 expires, and Applicant requests an extension of the term of this CEC for
4 Phase 2, Applicant shall provide to the Commission an additional showing
5 of need for the Phase 2 route approved in the CEC.

6 8. In the event that the Project requires an extension of the term of this CEC
7 prior to completion of construction, Applicant shall use reasonable means
8 to notify all landowners and residents within one mile of the Project
9 corridor, all persons who made public comment at this proceeding, and all
10 parties to this proceeding of the request and the date, time and place of the
11 hearing in which the Commission will consider the request for extension.

12 9. Applicant shall make every reasonable effort to identify and correct, on a
13 case-specific basis, all complaints of interference with radio or television
14 signals from operation of the transmission lines and related facilities
15 addressed in this CEC. Applicant shall maintain written records for a
16 period of five years of all complaints of radio or television interference
17 attributable to operation, together with the corrective action taken in
18 response to each complaint. All complaints shall be recorded to include
19 notations on the corrective action taken. Complaints not leading to a
20 specific action or for which there was no resolution shall be noted and
21 explained. Upon request, the written records shall be provided to Staff of
22 the Commission.

23 10. Within 120 days of the Commission decision granting this CEC, Applicant
24 shall post signs in public rights-of-way giving notice of the Project
25 corridor to the extent authorized by law. Applicant shall place signs in
26 prominent locations at reasonable intervals such that the public is notified
27 along the full length of the transmission line until the transmission
28 structures are constructed. To the extent practicable, within 45 days of

1 securing easement or right-of-way for the Project, Applicant shall erect
2 and maintain signs providing public notice that the property is the site of a
3 future transmission line. Such signage shall be no smaller than a normal
4 roadway sign. The signs shall advise:

5 10.1 that the site has been approved for the construction of Project
6 facilities;

7 10.2 the expected date of completion of the Project facilities;

8 10.3 a phone number for public information regarding the Project;

9 10.4 the name of the Project;

10 10.5 the name of Applicant; and

11 10.6 the website of the Project.

12 11. Applicant, or its assignee(s), shall design the transmission line to
13 incorporate reasonable measures to minimize impacts to raptors.

14 12. Applicant, or its assignee(s), shall use non-specular conductors and non-
15 reflective surfaces for transmission line structures.

16 13. Before construction on this Project may commence, Applicant shall file a
17 construction mitigation and restoration plan or a plan of development,
18 hereinafter referred to as the "Plan", with the Arizona Corporation
19 Commission Docket Control. Where practicable, the Plan shall specify
20 that Applicant shall use existing roads for construction and access,
21 minimize impacts to wildlife, minimize vegetation disturbance outside of
22 the Project right-of-way, particularly in drainage channels and along
23 stream banks, and shall re-vegetate, unless waived by the landowner,
24 native areas of construction disturbance to its preconstruction state outside
25 of the power line right-of-way after construction has been completed. The
26 Plan shall specify the manner in which Applicant makes use of existing
27 roads. The Plan shall specify Applicant's plans for coordination with
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1 Arizona Game and Fish Department ("AGFD") and the Arizona State
2 Historic Preservation Office ("SHPO").

3 14. With respect to the Project, Applicant shall participate in good faith in
4 state and regional transmission study forums to coordinate transmission
5 expansion plans related to the Project and to resolve transmission
6 constraints in a timely manner.

7 15. Applicant shall provide copies of this CEC to the City of Yuma and Yuma
8 County Planning and Zoning.

9 16. Before construction commences on this Project, Applicant shall provide
10 known homebuilders and developers who are building upon or developing
11 land within one mile of the center line of the certificated route of the
12 transmission line, a written description of the Project. The written
13 description shall identify the location of the Project and contain a pictorial
14 depiction of the type of transmission line being constructed. Applicant
15 shall also encourage the developers and homebuilders to include this
16 information in the developers' and homebuilders' homeowners' disclosure
17 statements.

18 17. Applicant will follow the most current Western Electricity Coordinating
19 Council/North American Electric Reliability Corporation planning
20 standards, as approved by the Federal Energy Regulatory Commission,
21 and National Electrical Safety Code construction standards.

22 18. Applicant shall submit a compliance-certification letter annually,
23 identifying progress made with respect to each condition contained in the
24 CEC, including which conditions have been met. Each letter shall be
25 submitted to the Commission Docket Control commencing on
26 December 1, 2012. Attached to each certification letter shall be
27 documentation explaining how compliance with each condition was
28 achieved. Copies of each letter, along with the corresponding

1 documentation, shall be submitted to the Arizona Attorney General and
2 Arizona Governor's Office of Energy Policy. The requirement for the
3 compliance-certification shall expire on the date the Project is placed into
4 operation.

5 19. When Project facilities are located parallel to and within 100 feet of any
6 existing natural gas or hazardous liquid pipeline, Applicant shall:

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

16 (b) Ensure that measurements are taken during an outage simulation of the
17 Project that may be caused by the collocation of the Project parallel to and
18 within 100 feet of the existing natural gas or hazardous liquid pipeline.
19 The measurements should either: i) show that such simulated outage does
20 not result in customer outages; or ii) include operating plans to minimize
21 any resulting customer outages. Applicant shall provide a copy of the
22 measurement results to Commission Staff and file it with Docket Control
23 as part of its annual compliance-certification letter.

24 25 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

26 This CEC incorporates the following findings of fact and conclusions of law:

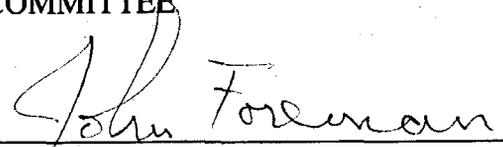
- 27 1. The Project aids the state in meeting the need for an adequate, economical
28 and reliable supply of electric power.

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- 2. The conditions placed on the Project in the CEC by the Committee effectively minimize the impact of the Project on the environment and ecology of the state.
- 3. The Project is in the public interest because the Project's contribution to meeting the need for an adequate, economical and reliable supply of electric power outweighs the minimized impact of the Project on the environment and ecology of the state.

DATED this 9th day of December, 2011.

THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING
COMMITTEE

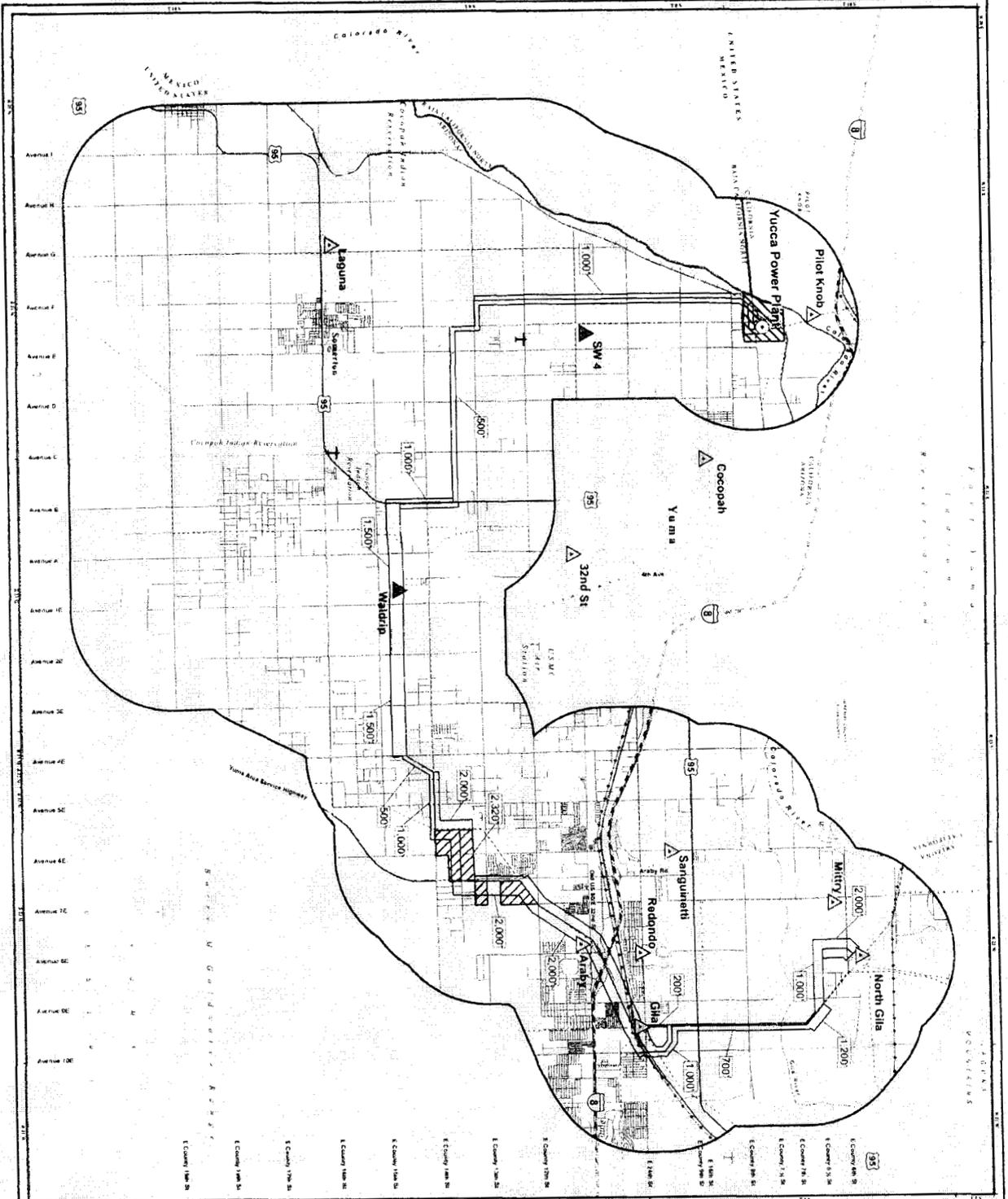


Hon. John Foreman, Chairman

EXHIBIT A

General Location Map of the Project

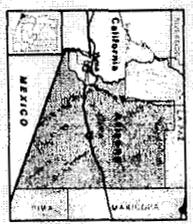
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**North Gila to TS-8 to Yucca
230kV Transmission Line Project**

CEC Corridor Map

- LEGEND**
- Project Features**
 - Approved Project Corridor
 - Proposed 230kV Transmission Line
 - Corridor Width
 - Project Study Area
 - Yucca Power Plant Interconnection Area
 - TS-8 Sling Area
 - Utilities**
 - Substation
 - Power Plant
 - Future Substation
 - Existing Transmission Line
 - Natural Gas Pipeline
 - Reference Features**
 - U.S.-Mexico Border
 - Sale Boundary
 - Township and Range Section
 - Air Facility
 - Interstate
 - Highway
 - Street
 - Railroad
 - River/Stream
 - Canal



aps
December 2011
gpi