

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

3 IN THE MATTER OF THE
4 APPLICATION OF ARIZONA PUBLIC
5 SERVICE COMPANY, IN
6 CONFORMANCE WITH THE
7 REQUIREMENTS OF ARIZONA
8 REVISED STATUTES §§ 40-360, ET
9 SEQ., FOR A CERTIFICATE OF
10 ENVIRONMENTAL COMPATIBILITY
11 AUTHORIZING THE CONSTRUCTION
12 OF A SECTION OF THE PINAL
13 ELECTRICAL IMPROVEMENT
14 PROJECT CONSISTING OF
15 APPROXIMATELY 20 MILES OF A
16 NEW DOUBLE-CIRCUIT 230KV
17 TRANSMISSION LINE WHICH
18 ORIGINATES AT THE MILLIGAN
19 SUBSTATION AND TERMINATES AT
20 THE CONNECTION POINT WITH THE
21 SUNDANCE TO PINAL CENTRAL
22 230KV TRANSMISSION LINE (CEC
23 136) LOCATED NEAR THE PINAL
24 CENTRAL SUBSTATION, ALL
25 LOCATED WITHIN PINAL COUNTY,
26 ARIZONA.

Arizona Corporation Commission

Docket No.

L-00000D-25-0154-00247

Case No. 247

PROCEDURAL ORDER

18
19 An Application for Certificates of Environmental Compatibility (“Application”) was
20 filed in the above captioned matter with Docket Control of the Arizona Corporation
21 Commission (“Commission”) on July 29, 2025. A copy of the Application was transmitted
22 to Adam Stafford, designee of the Attorney General of Arizona, Kristin Mayes, as
23 Chairman (“Chairman”) and Presiding Officer of the Arizona Power Plant and
24 Transmission Line Siting Committee (“Committee”). A.R.S. §§ 40-360.01(B)(1) and 40-
25 360.03. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-
26 201(E), the Chairman issues the following procedural order.

27 **IT IS ORDERED:**

28 1. The Applicant and all potential parties (“person” within the meaning of

1 A.R.S. § 40-360(8) who intends to intervene or requests to intervene, pursuant to A.R.S.
2 § 40-360.05(A)) (hereinafter “potential parties”), shall advise the Chairman in writing on
3 or before the time of the pre-hearing conference, scheduled below, if they disagree that the
4 time limit for decision on the Application by the Committee set by A.R.S. § 40.360.04(D)
5 is January 25, 2026.

6 2. All parties or potential parties listed on pleadings or procedural orders filed
7 by the Applicant or the Chairman shall notify Docket Control of their desire to receive
8 pleadings and procedural orders in this matter and shall regularly review the Docket
9 Control file in this matter to make sure they have received all pleadings and procedural
10 orders relating to this case. Neither the Committee nor the Chairman has the authority to
11 direct Docket Control to send one of the 25 copies of pleadings and procedural orders filed
12 with Docket Control to prospective parties.

13 3. The Applicant shall arrange for the timely publication and posting of notice
14 of the hearing, in a form approved by the Chairman, at locations discussed and agreed to by
15 the Applicant at the pre-filing conference held on July 10, 2025. Posting of the Notice of
16 Hearing should occur at least twenty days before the hearing scheduled below. The
17 Applicant shall provide notice by certified mail to any and all other affected jurisdiction
18 within the meaning of A.R.S. § 40-360.04(A), at least twenty days before the hearing
19 scheduled below. Applicant shall also use social media to provide notice of the hearing as
20 discussed at the pre-filing conference held on July 10, 2025. In addition, at the hearing the
21 Applicant shall submit a copy of the notice and present testimony describing the
22 publication, providing of notice and posting of the notice.

23 4. The Applicant shall make arrangements for the hearing to commence in Casa
24 Grande, Arizona. The hearing in Casa Grande, Arizona will be held at the Radisson Hotel
25 Casa Grande, 777 N. Pinal Avenue, Casa Grande, AZ 85122, commencing on September 8,
26 2025, at 1:00 p.m. and will continue each weekday on September 9, 2025, through
27 September 11, 2025, as necessary, at the same location beginning at 9:00 a.m. on each day
28 unless a tour is taken. If a tour is taken, it will begin on an alternative date and time set by

1 the Chairman of the Committee. Public comment may be taken during the hearing at times
2 designated by the Chairman.

3 Public comment also will be taken in a special evening session on September 8,
4 2025, beginning 5:30 p.m. via Zoom, or in person at the same location. Public comment
5 may also be taken at the beginning of each hearing day, or at other times during the
6 hearing, at the discretion of the Chairman of the Committee. **THE PUBLIC HAS THE**
7 **OPTION OF WATCHING THE MEETING ONLINE, LISTENING TO THE**
8 **MEETING VIA TELEPHONE, OR ATTENDING IN PERSON.** At least 24 hours in
9 advance of the hearing, information regarding online and telephone hearing access as well
10 as any additional details regarding safety protocols or other revisions to the hearing
11 schedule, will be posted on the Project website at aps.com/pinalproject and on the
12 Commission's website at [https://www.azcc.gov/arizona-power-plant/hearings-and-](https://www.azcc.gov/arizona-power-plant/hearings-and-meetings)
13 [meetings](https://www.azcc.gov/arizona-power-plant/hearings-and-meetings). **PLEASE BE ADVISED THAT ALL LOCAL AND STATE PUBLIC**
14 **HEALTH AND SAFETY GUIDELINES WILL BE FOLLOWED DURING THE**
15 **PUBLIC COMMENT PERIOD. RESTRICTIONS ON PUBLIC ACCESS, SAFETY**
16 **PROTOCOLS, AND REVISIONS TO THE HEARING SCHEDULE MAY OCCUR**
17 **DUE TO PUBLIC HEALTH CONSIDERATIONS.**

18 5. The Applicant shall contact the appropriate member of the staff of the
19 Commission, and advise them of the Applicant's position concerning reimbursement of the
20 Line Siting Fund should the expenses of the hearing exceed the application fee, and discuss
21 financial arrangements regarding hotel reservations and other expenses of the Committee
22 Members. A.R.S. § 40-360.10. The Applicant shall advise the Chairman of the results of
23 these discussions so that the necessary information may be communicated to the
24 Committee Members.

25 6. The Applicant shall provide a copy of this Procedural Order to all other
26 parties and potential parties who have not already received a copy.

27 7. The Applicant and all other parties and potential parties shall meet and confer
28 prior to the beginning of the hearing, to determine whether any of the parties or potential

1 parties have similar interests in the application process that will allow them to jointly
2 present testimony on direct or cross-examination of witnesses, or to jointly offer exhibits
3 into evidence. The Applicant shall, and any other party or potential party may, report to the
4 Chairman the results of their attempts to resolve the issues and to determine if common
5 interests exist that will allow parties to jointly present evidence and argument or to avoid
6 repetition of testimony and argument at the hearing.

7 8. The Applicant and all other parties and potential parties shall meet and confer
8 as needed before, during, and after the hearing to attempt to resolve any disputes amongst
9 the parties. The parties and potential parties shall also keep all other parties and potential
10 parties advised of their positions and intentions with regard to the presentation of evidence,
11 witnesses, and the application process in general to avoid delay, the presentation of
12 repetitive evidence, and any unfair advantage from surprise.

13 9. Parties and potential parties shall not communicate with any Member of the
14 Committee about any procedural matters, or any factual issues or legal issues relating to the
15 Application, while the Application is pending before the Committee. The only exception is
16 that parties may communicate with the Chairman during the time the Application is
17 pending about procedural matters relating to the Application, preparation of the notice of
18 hearing and its publication, the agenda for the hearing, any pre-hearing conferences, the
19 hearing on the Application, and the decision on the Application by the Committee.
20 Communication by the parties with the Chairman about any procedural matter during the
21 time an Application is pending shall be in writing or, if oral, shall be memorialized by an e-
22 mail or other written summary with a copy of the written communication or summary to all
23 parties and potential parties, or shall be on the record at pre-filing conferences, at pre-
24 hearing conferences, or at the hearing on the Application. Any party who initiates any
25 written communication sent to the Chairman, or who summarizes an oral communication
26 with the Chairman on a procedural matter, shall file with Docket Control a copy of the
27 communication or summary, including its distribution list, within 10 days of sending the
28 written communication or making the oral communication.

1 10. Parties and potential parties shall not communicate with any Commissioner
2 of the Commission concerning the substantive merits of the Application while the
3 Application is pending before the Committee, in accordance with the requirements of
4 A.A.C. R14-3-113.

5 11. Whenever an agenda is filed pursuant to A.R.S. § 38-431.02, all parties and
6 potential parties shall serve upon the Chairman as soon as practicable, and at least forty-
7 eight (48) hours before the hearing or meeting described in the agenda, any objections,
8 additions, or corrections to the agenda they believe are necessary in order to bring the
9 agenda into compliance with A.R.S. § 38-431.02. The objections, additions or corrections
10 shall be in writing and shall be served upon all other parties and potential parties. A copy
11 shall be filed with Docket Control. Objections that are not timely raised will be deemed
12 waived.

13 12. Service of any pleading, document, or writing upon the Chairman may be
14 made electronically to the e-mail address of the Chairman below. Service of any pleading,
15 document or writing upon parties and potential parties may be made electronically to the e-
16 mail address of the parties and potential parties. Any pleading, document or writing filed
17 with Docket Control shall include the appropriate number of copies as determined by
18 Docket Control.

19 13. All parties and potential parties shall file with Docket Control and exchange
20 with all other parties and potential parties brief summaries of the expected direct testimony
21 of each witness they will call. In lieu of a testimonial summary, a party or potential party
22 may file with Docket Control and exchange with all other parties and potential parties all or
23 substantially all of the direct testimony of any witness. In either case, whether testimonial
24 summaries or direct testimony, the parties are expected to present live testimony regarding
25 the matters set forth therein. Testimonial summaries and direct testimony shall be filed
26 with Docket Control and exchanged with parties and potential parties by 5:00 p.m. of the
27 day before the pre-hearing conference set below. Except for good cause, no witness will be
28 allowed to testify on direct examination concerning issues not reasonably identified in the

1 testimonial summary and direct testimony.

2 14. All parties and potential parties shall meet, confer, and exchange all exhibits
3 the party or potential party plans to offer in evidence by 5:00 p.m. of the day before the
4 pre-hearing conference set below. The Applicant shall, and other parties and potential
5 parties may, provide one or more three-ring binders for the Chairman and each Member of
6 the Committee to hold exhibits at the beginning of the hearing and as needed during the
7 hearing. Each party and potential party shall prepare for the Chairman and each Committee
8 Member a numbered list of the exhibits and a copy of all exhibits suitable for placement in
9 the binders that each party and potential party expects to offer in evidence at the hearing.
10 The exhibits shall be provided to the Chairman and each Committee Member at the
11 beginning of the hearing and during the hearing before reference to the exhibit is made in
12 the hearing. In lieu of copies of exhibits in paper format, Applicant may provide the
13 Chairman and each Member of the Committee a laptop, tablet or iPad loaded with
14 electronic copies of the exhibits. Except for good cause, no exhibit that was not exchanged
15 with the other parties shall be considered at the hearing. Any exhibit to which reference is
16 made during any hearing that is not offered or admitted into evidence shall be provided to
17 the court reporter at the hearing for inclusion in the record, unless it is withdrawn and the
18 Chairman determines its filing is not necessary to an understanding of the actions of the
19 Committee.

20 15. All exhibits shall be consecutively numbered, with the Applicant's exhibits
21 denominated: APS-1, APS-2 etc. Each intervening party will be assigned by the Chairman
22 a letter or letters of the alphabet as a preface with which to consecutively number its
23 exhibits.

24 16. The Applicant shall create an exhibit summarizing all public outreach efforts
25 concerning the Application, with representatives of federal, state and municipal bodies and
26 the general public, and all comments received as a result of such public outreach, including
27 comments received at meetings, through comment cards, emails, phone calls, faxes,
28 correspondence, social media and through the Applicant's website. Applicant shall

exchange the exhibit with all parties and potential parties and the Chairman by 5:00 p.m. of the day before the pre-hearing conference set below.

17. The Applicant may make an opening statement at the beginning of the hearing of no more than thirty (30) minutes. Each other party may make an opening statement of no more than five (5) minutes.

18. Public comment will be heard after the opening statements and at other times set by the Chairman during the hearing. See ¶ 4 above.

19. No tour of the Project Area is planned by the Committee at this time. If the Chairman later decides to conduct a tour, the Applicant shall provide notice that includes a map and itinerary of such tour, and will make the notice available at the hearing and shall post the same on the Project and Commission websites. In the event the Chairman determines that a tour or tours of the proposed locations of facilities proposed in the Application is appropriate, the Applicant shall arrange for transportation for Committee Members who wish to attend. The Applicant shall submit to the Chairman, before the pre-hearing conference set below, a schedule and protocol agreed to by all parties and potential parties for each tour. If all parties and potential parties do not agree upon the schedule and protocol for each tour, the disagreements shall be submitted to the Chairman for resolution. The protocol shall identify the tour route, identify the location of any stops, and identify any witnesses who will accompany each tour. Counsel may ask brief explanatory questions of the identified witness or witnesses during the stops about the location, what can be seen from the location of the stop and the relevance of the location or view to the Application, at the discretion of the Chairman. All witnesses who testify on each tour shall be sworn before their testimony. All questions and answers shall be before a court reporter. No testimony or discussion with or between Committee Members about the merits of the Application will take place, except on the record before a court reporter at the designated stops. The protocol shall provide for access to members of the public to any testimony presented at stops on each tour. Members of the public who wish to observe the tour are encouraged to notify the Applicant or the Chairman in advance of their intention to follow

1 and observe the tour.

2 20. Parties may present their witnesses in panels where appropriate. A party or
3 potential party who intends to present witnesses in panels shall identify the members of any
4 panel at the time it files its testimonial summaries or direct testimony.

5 21. The Applicant shall make arrangements for the preparation of expedited
6 court reporter transcripts of all pre-filing conferences, all pre-hearing conferences, and the
7 hearing, so that the transcripts are available for public inspection within three working days
8 after each hearing date, as required by A.R.S. §§ 38-431.01(D) and 40-360.04(C). In
9 addition, the Applicant shall file a certification with Docket Control that it has provided a
10 copy of the transcripts to two public libraries identified in the certification that are in the
11 vicinity of the proposed route and alternates in the Application. The Applicant shall also
12 post the transcripts on the Applicant's project website at: aps.com/pinalproject. Transcripts
13 shall remain on the Applicant's project website until 30 days after the final decision has
14 been issued by the Commission.

15 22. At or before the pre-hearing conference set below, the Applicant shall, and
16 the other parties and potential parties may, file proposed findings of fact, proposed
17 conclusions of law, the wording of any proposed certificate of environmental compatibility,
18 and the wording of any proposed conditions to the certificate.

19 23. If the beginning of closing arguments and the Committee's deliberations are
20 more than one week after the beginning of the hearing, the parties shall meet and confer
21 before closing arguments, concerning proposed findings of fact, proposed conclusions of
22 law, a proposed certificate of environmental compatibility and the wording of any proposed
23 conditions to the certificate. If the parties are able to agree upon part or all of the proposed
24 findings of fact, proposed conclusions of law, proposed forms of a certificate of
25 environmental compatibility and proposed wording of conditions to the certificate, all that
26 is agreed upon should be reduced to writing and filed. If the parties are not able to agree
27 completely, the Applicant shall, and all other parties may, file proposed findings of fact,
28 proposed conclusions of law, proposed wording of a certificate of environmental

1 compatibility and proposed wording of conditions to the certificate on the day before the
2 beginning of closing arguments and the Committee's deliberations.

3 24. If the Applicant or any other party proposes conditions based upon conditions
4 used in prior cases, each proposed condition from a prior case shall contain the case
5 number of the most recent prior certificate of environmental compatibility using the
6 language approved by the Commission. Any proposed additions, deletions or modifications
7 to the language approved by the Commission for each prior condition shall be designated
8 using the "Track Changes" function.

9 25. All pleadings, testimonial summaries, direct testimony, proposed findings of
10 fact, proposed conclusions of law, proposed certificates of environmental compatibility and
11 proposed conditions of certificates that must be filed pursuant to this Procedural Order or
12 otherwise by law, shall be filed with Docket Control. Copies of all documents described in
13 this paragraph that are filed with Docket Control shall be served upon the Chairman, the
14 Committee, all parties, and all potential parties. Before the hearing, documents may be
15 served upon parties and potential parties electronically to the e-mail address or FAX
16 number provided by the party or potential party. Before the hearing, documents may be
17 served electronically upon the Chairman and the Committee, to the e-mail address of the
18 Chairman. Documents that are served during the hearing shall be hand delivered to parties.
19 During the hearing, eleven (11) copies of any filed document shall be delivered to the
20 Chairman for distribution to the Committee, and a copy shall be sent electronically to the e-
21 mail address of the Chairman.

22 26. If the final wording of the certificate of environmental compatibility that is
23 adopted by the Committee at the end of the hearing is in dispute, the Chairman may order
24 the parties to meet and confer in person or electronically to determine if they can agree
25 upon the final wording of a proposed certificate of environmental compatibility. If the
26 parties can agree upon the final wording of a proposed certificate of environmental
27 compatibility, Applicant shall forthwith hand-deliver the agreed-upon proposed certificate
28 of environmental compatibility to the Chairman for signature. If the parties are not able to

1 agree upon a proposed form of certificate of environmental compatibility, the Applicant
2 shall file, and the other parties may file, within ten (10) days after the date of the decision
3 of the Committee, those portions of the proposed certificate of environmental compatibility
4 upon which the parties agree. The Applicant also shall file, and any other party also may
5 file, within ten (10) days after the date of the decision of the Committee, its understanding
6 of any disputed portions of the proposed certificate of environmental compatibility. All
7 proposed forms of the certificate of environmental compatibility and any objections or
8 proposed revisions shall be filed with Docket Control, and a copy shall be hand delivered
9 to the Chairman at 15 South 15th Avenue, Phoenix, Arizona. All other parties shall be
10 served. Objections or suggestions that are not timely filed shall be considered waived.

11 27. The copy of the proposed certificate of environmental compatibility filed by
12 the Applicant and any objections or proposed revisions filed by the parties that are served
13 upon the Chairman, shall include an electronic file containing the wording of the proposed
14 language in a format compatible with Microsoft© Word word-processing program.

15 28. The Applicant and all potential parties shall meet with the Chairman for a
16 **pre-hearing conference on August 26, 2025, beginning at 11:00 a.m. via Zoom at**
17 **<https://us02web.zoom.us/j/89368377841?pwd=Z0DQrXsdrR9HFXY2zW05kNCaNA9AZ.1>**
18 **Meeting ID: 893 6837 7841; Passcode: 980626.** Parties and potential parties other than
19 the Applicant may appear by telephone with the prior permission of the Chairman. At the
20 final pre-hearing conference, the Chairman shall review with the Applicant and potential
21 parties:

- 22 a. The publication and posting of notices of the hearing;
- 23 b. The proposed agenda for the hearing;
- 24 c. Any notices to intervene, requests to intervene, and applications to
25 make a limited appearance;
- 26 d. The status of attempts to narrow the issues at the hearing or to agree to
27 language in the proposed findings of fact, proposed conclusions of law, proposed
28 certificates of environmental compatibility and proposed conditions to the certificate;

1 e. The status of the filing and exchange of witness summaries or written
2 testimony, proposed findings of fact, proposed conclusions of law, proposed certificates of
3 environmental compatibility and proposed conditions to the certificate;

4 f. The status of the exchange of exhibits amongst the parties;

5 g. Any objections, motions, responses, and legal memoranda that have
6 been filed; and

7 h. Plans and preparations for the hearing, public comment session, and
8 tour of the proposed site.

9 **IT IS FURTHER ORDERED**, the Chairman may amend or waive any portion of
10 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing
11 conference, or at a hearing.

12 **DATED** this 4th day of August, 2025.

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15
16 Adam Stafford
17 Chairman, Arizona Power Plant and
18 Transmission Line Siting Committee
19 15 South 15th Avenue
20 Phoenix, Arizona 85007-2926
21 Adam.Stafford@azag.gov
22
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27
28

1 **CERTIFICATE OF MAILING**

2 **ORIGINAL** of the foregoing e-filed this 4th day of August, 2025, with

3 Utilities Division-Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington Street
6 Phoenix, AZ 85007

7 **COPY** of the foregoing e-mailed
8 this 4th day of August, 2025, to:

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13 legaldiv@azcc.gov

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