

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2
3 JEFF HATCH-MILLER
4 Chairman
5 WILLIAM A. MUNDELL
6 Commissioner
7 MARC SPITZER
8 Commissioner
9 MIKE GLEASON
10 Commissioner
11 KRISTIN K. MAYES
12 Commissioner

13 IN THE MATTER OF THE APPLICATION
14 OF SALT RIVER PROJECT
15 AGRICULTURAL IMPROVEMENT AND
16 POWER DISTRICT ON BEHALF OF
17 ITSELF AND ARIZONA PUBLIC SERVICE
18 COMPANY, SANTA CRUZ WATER AND
19 POWER DISTRICTS ASSOCIATION,
20 SOUTHWEST TRANSMISSION
21 COOPERATIVE, INC. AND TUCSON
22 ELECTRIC POWER IN CONFORMANCE
23 WITH THE REQUIREMENTS OF ARIZONA
24 REVISED STATUTES SECTION 40-360, *et.*
25 *seq.*, FOR A CERTIFICATE OF
26 ENVIRONMENTAL COMPATIBILITY
27 AUTHORIZING CONSTRUCTION OF THE
28 PINAL WEST TO SOUTHEAST
VALLEY/BROWNING PROJECT
INCLUDING THE CONSTRUCTION OF
TRANSMISSION LINES FROM PINAL
WEST TO THE BROWNING SUBSTATION
AND OTHER INTERCONNECTION
COMPONENTS IN PINAL AND
MARICOPA COUNTIES, ARIZONA.

Docket No. L00000B-04-0126

Case No.126

**VANGUARD'S JOINDER IN
PULTE HOME'S BRIEF IN
SUPPORT OF ITS APPLICATION
FOR RE-HEARING AS TO
CORRIDOR WIDTH**

Intervenors Vanguard Properties, Inc., Road Runner Resorts, LLC, CMR Casa Grande, LLC and Florence Copper, Inc. (collectively, "Vanguard") hereby formally indicate their support and joinder in the revised corridor width south of Node 81 sought by

1 Intervenor Pulte Homes in its application for re-hearing.^{1/} Since Pulte Home's Application
2 was filed and the Commission provided its views in the September 28, 2005 Special
3 Opening Meeting, Vanguard has actively participated in discussions with Pulte Homes and
4 Applicant Salt River Project Agricultural Improvement and Power District ("SRP")
5 concerning the requested corridor width, and specifically the potential location of the 500
6 kV transmission line within that corridor. The brief in support of Pulte Home's application
7 accurately sets forth the consensus reached by Pulte, Vanguard and SRP concerning the
8 appropriate corridor width and flexibility regarding placement of the transmission line
9 following further engineering and discussions among the parties at the time the line is to be
10 built.

11 Vanguard agrees with Pulte Homes that the widened corridor only impacts parties
12 that have already been impacted by the newer alignment adopted by the 3-2 Corporation
13 Commission vote earlier this year. These parties are in the best position to consider, and
14 have taken into account, the impact of the transmission line on future residents in the
15 affected area. Vanguard agrees with and accepts SRP's positions that the line must cross the
16 Gila River at a right angle, and that the parties agree on a specific alignment within the
17 widened corridor by November 1, 2006.

18 Because expanding the corridor in this area gives the parties maximum flexibility to
19 reduce the impact on future residents, commercial users and industrial users in the impacted
20 area, and because the expanding the corridor will allow the line to be sited along appropriate
21 geographical features, specifically including a wash south of Node 81, it is good public
22 policy to grant Pulte Home's application. Vanguard hereby states its agreement with the
23 specific proposed amended language set forth in Pulte Home's brief.²

24
25 ^{1/} Vanguard joins in the request of Pulte Homes without waiving Vanguard's separate
application for a rehearing and/or request for reconsideration.

26 ² Vanguard notes that an error about the correct owner of the railroad right-of-way
27 exists in the record and has been carried forward into the filings by the parties. In
28 fact, the railroad right-of-way is owned by the Copper Basin Railroad, not Union
Pacific Railroad.

1 Respectfully submitted this 11th day of October, 2005.

2 BRYAN CAVE LLP

3
4 By 

5 Steven A. Hirsch, #006360
6 Rodney W. Ott, #016686
7 Two N. Central Avenue, Suite 2200
8 Phoenix, AZ 85004-4406
9 Attorneys for Vanguard Properties, Inc.
10 Road Runner Resorts, LLC, CMR Casa
11 Grande, LLC, and Florence Copper, Inc.

12 ORIGINAL and 40 copies filed this
13 11th day of October, 2005, with:

14 Docket Control
15 Arizona Corporation Commission
16 1200 W. Washington Street
17 Phoenix, AZ 85007

18 And copies mailed or e-mailed this date, to:

19 Diane Targovnik, Esq. e-mail: dtargovnik@azcc.gov
20 Legal Division
21 Arizona Corporation Commission
22 1200 W. Washington Street
23 Phoenix, AZ 85007
24 Attorney for Staff of Utilities Division of ACC

25 Ernest G. Johnson, Director
26 Utilities Division
27 Arizona Corporation Commission
28 1200 W. Washington Street
Phoenix, AZ 85007

BRYAN CAVE LLP
TWO NORTH CENTRAL AVENUE, SUITE 2200
PHOENIX, ARIZONA 85004-4406
(602) 364-7000

1 Kelly J. Barr, Esq.
2 Salt River Project Law Department
3 P. O. Box 52025 - PAB 221
4 Phoenix, AZ 85072-0221

e-mail: kjbarr@srpnet.com

4 Laura Raffaelli, Esq.
5 Salt River Project
6 Legal Services Department
7 Mail Station PAB 207
8 P. O. Box 52025
9 Phoenix, AZ 85072-2025
10 Attorney for Salt River Project

e-mail: lfraffac@srpnet.com

9 Kenneth C. Sundlof, Jr., Esq.
10 Jennings Strouss & Salmon PLC
11 201 E. Washington, 11th Floor
12 Phoenix, AZ 85004
13 Attorney for Salt River Project

e-mail: Sundlof@jsslaw.com

13 Mr. Walter Meek
14 Arizona Utility Investor Association
15 2100 N. Central Avenue, Suite 210
16 P. O. Box 34805
17 Phoenix, AZ 85067

e-mail: meek@auia.org

17 Alicia M. Corbett, Esq.
18 John R. Dacey, Esq.
19 Gammage & Burnham
20 One Renaissance Square, 18th Floor
21 Two N. Central Avenue
22 Phoenix, AZ 85004
23 Counsel for Miller Holdings, Inc.

e-mail: acorbett@gblaw.com

e-mail: jdacey@gblaw.com

22 Ursula H. Gordwin, Esq.
23 Assistant City Attorney
24 City of Casa Grande
25 510 E. Florence Boulevard
26 Casa Grande, AZ 85222
27 Counsel for City of Casa Grande
28

e-mail: ugordwin@ci.casa-grande.az.us

1 Roger K. Ferland, Esq. e-mail: rferland@quarles.com
Michelle De Blasi, Esq. e-mail: mdeblasi@quarles.com
2 Quarles Brady Streich Lang, LLP
3 One Renaissance Square
4 Two N. Central Avenue
5 Phoenix, AZ 85004-2391
6 Counsel for Del Mar Development,
7 Robert & Rob Knorr of Knorr Farms,
8 and Trinity Baptist Church

7 Leonard M. Bell, Esq. e-mail: Leonard.bell@azbar.org
8 Martin & Bell LLC
9 365 E. Coronado, Suite 200
10 Phoenix, AZ 85004
11 Counsel for Casa Grande Mountain Limited Partnership

11 George J. Chasse, General Partner & Limited Partner
12 Casa Grande Mountain Limited Partnership
13 5740 E. Via Los Ranchos
14 Paradise Valley, AZ 85253

14 David William West
15 Law Offices of David Wm West PC
16 92449 N. Deer Trail Road
17 Maricopa, AZ 85239-4917
18 Counsel for Save Our Valley Association

18 Lawrence V. Robertson, Jr., Esq. e-mail: LVRobertson@mungerchadwick.com
19 Munger, Chadwick, P.L.C.
20 National Bank Plaza, Suite 300
21 333 N. Wilmot
22 Tucson, AZ 85711
23 Counsel for Walker Butte 700, L.L.C.;
Walker Butte 300, L.L.C.;
Walker Butte Granite, L.L.C.; Magic Lake 80, L.L.C.;
24 Skousen & Highway 87, L.L.C.; Hunt & Hooper, L.L.C.;
25 Sonoran 382, L.L.C.; MLC Farms, L.L.C.;
General Hunt Properties, Inc.; Kousen, CR & Elaine TRS

26
27
28

1 James E. Mannato, Esq. e-mail: james.mannato@town.florence.az.us
2 Florence Town Attorney
3 775 N. Main Street
4 P. O. Box 2670
5 Florence, AZ 85232
6 Counsel for the Town of Florence

7 Court S. Rich, Esq. e-mail: crich@roselawgroup.com
8 Kay Bigelow, Esq. e-mail: kbigelow@roselawgroup.com

9 Rose Law Group PC
10 7272 E. Indian School Road, Suite 360
11 Scottsdale, AZ 85251
12 Counsel for Westpac Development Corporation;
13 Robson Communities, Inc.; Langley Properties, LLC;
14 Vistoso Partners, LLC; Pulte Home Corporation, Inc.;
15 Jacob Roberts, Gail Robertson and Lonesome Valley
16 Farms ("Roberts"); The Francisco Grande Hotel and
17 Golf Resort and surrounding property, owned and
18 operated by FG Partners, LLP ("Francisco Grande");
19 The Maha Ganapati Temple of Arizona (the "Temple");
20 Sun Valley Farms Unit 5 Homeowners' Association,
21 Inc. ("Sun Valley HOA"); Karolyn Clough, an individual,
22 Wanda Wood, an individual, Jean Stout, an individual,
23 Linda Beres, an individual, Brenda Scott, an individual,
24 and Jackie Guthrie, an individual ("Impacted Neighbors");
25 and Aspen Farms

26 Karrin Kunasek Taylor, Esq. e-mail: karrint@biskindlaw.com
27 William Edward Lally, Esq. e-mail: williaml@biskindlaw.com

28 Biskind Hunt & Taylor, P.L.C.
11201 N. Tatum Blvd., Suite 330
Phoenix, AZ 85028
Counsel for Pivotal Sandia, L.L.C., First American
Title Company, as Trustee of its Trust Nos. 8572, 8573,
and 8574; Wuertz Farming Limited Company, L.L.C.; McKinney
Farming Company; Sarah Wuertz; Gregory Wuertz;
Carol Wuertz Behrens; and David Wuertz

James J. Heiler, Esq. e-mail: jjheiler@aol.com

APCO Worldwide
5800 Kiva Lane
Scottsdale, AZ 85253
Counsel for Meritage Homes Corporation

1 Paul E. Gilbert, Esq.
2 Beus Gilbert PLLC
3 4800 N. Scottsdale Road, Suite 6000
4 Scottsdale, AZ 85251-7630

5 *Melinda M. Erway*
6
7
8
9

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BRYAN CAVE LLP
TWO NORTH CENTRAL AVENUE, SUITE 2200
PHOENIX, ARIZONA 85004-4406
(602) 364-7000