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BEFORE THE ARIZONA CORPORATION COMMISSION

2006 OCT 23 P 4: 35

1 JEFF HATCH-MILLER
2 Chairman

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4 WILLIAM MUNDELL
5 Commissioner

Arizona Corporation Commission
DOCKETED

6 MIKE GLEASON
7 Commissioner

OCT 23 2006

8 KRISTIN K. MAYES
9 Commissioner

DOCKETED BY

10 BARRY WONG,
11 Commissioner

11 IN THE MATTER OF THE APPLICATION)
12 OF GILA BEND POWER PARTNERS,)
13 L.L.C., OR THEIR ASSIGNEE(S), IN)
14 CONFORMANCE WITH REQUIREMENTS)
15 OF ARIZONA REVISED STATUTES)
16 SECTIONS 40-360-01 et seq., FOR A)
17 CERTIFICATE OF ENVIRONMENTAL)
18 COMPATIBILITY AUTHORIZING THE)
19 CONSTRUCTION OF A NATURAL GAS-)
20 FIRED, COMBINED CYCLE)
21 GENERATING PLANT, SWITCHYARD,)
22 AND RELATED FACILITIES IN THE)
23 TOWN OF GILA BEND, MARICOPA)
24 COUNTY, ARIZONA LOCATED IN THE)
25 SOUTHWEST QUARTER OF SECTION 19,)
26 TOWNSHIP 5 SOUTH RANGE 5 WEST,)
GILA AND SALT RIVER BASE AND)
MERIDIAN.

DOCKET NO. L-00000V-00-01060000

CASE No. 106

20 IN THE MATTER OF THE APPLICATION)
21 OF GILA BEND POWER PARTNERS,)
22 L.L.C., AND ITS ASSIGNS IN)
23 CONFORMANCE WITH THE)
24 REQUIREMENTS OF ARIZONA REVISED)
25 STATUTES 40-360.03 AND 40-360.06 FOR)
26 A CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AUTHORIZING)
CONSTRUCTION OF ONE 500kV)
TRANSMISSION LINE AND THE)
WATERMELON SWITCHYARD IN)
MARICOPA COUNTY, ARIZONA)
ORIGINATING AT THE PROPOSED GILA)

DOCKET NO. L-00000V-01-01090000

CASE No. 109

1 BEND POWER PARTNERS POWER)
PROJECT LOCATED NORTHWEST OF)
2 THE CENTER OF THE TOWN OF GILA)
BEND ARIZONA (SECTION 19,)
3 TOWNSHIP 5 SOUTH, RANGE 5 WEST,)
G&SRB&M) AND TERMINATING AT)
4 THE PROPOSED WATERMELON)
SWITCHYARD SECTION 22, TOWNSHIP)
5 5 SOUTH, RANGE 4 WEST, A DISTANCE)
OF APPROXIMATELY 9 MILES)
6 _____)

7 **GILA BEND POWER PARTNERS' COMMENTS TO**
8 **ACC STAFF REPORT**

9 Gila Bend Power Partners, LLC ("GBPP") submits this response to the September
10 27, 2006 Staff Report. GBPP supports Staff's recommendation to grant five-year
11 extensions for the expiration dates of Decision Nos. 63552 and 63762. Additionally,
12 GBPP is willing to adopt the amended and new conditions recommended by Staff as
13 shown in Exhibit A and Exhibit B to the Staff Report. Accordingly, GBPP does not
14 request an administrative hearing to address the Staff Report or GBPP's extension
15 requests.

16 GBPP does, however, clarify certain aspects of Staff's characterization of GBPP's
17 compliance with Decision Nos. 63552 and 63762 and other Commission requirements.
18 First, GBPP did submit ten-year plans to the Commission in 2002, 2003, 2004, and 2005.
19 Additionally, GBPP believes it has made good faith efforts to comply with the conditions
20 that are currently applicable in Decision Nos. 63552 and 63762.

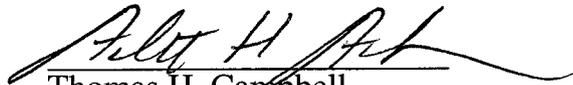
21 Many conditions, however, are not yet applicable. For example, Decision No.
22 63552, Condition 3, requires GBPP to provide a technical study to the Commission, not
23 more than twelve (12) months prior commercial operation of the plant. This condition is
24 not applicable until GBPP is within twelve months of commercial operation. Similarly,
25
26

1 Conditions 4, 6, 14, and 17 are operational prerequisites that GBPP intends to meet before
2 commercial operation commences.

3 Despite these distinctions, GBPP does support Staff's recommendation to extend
4 the expiration dates for Decision Nos. 63552 and 63762. Additionally, GBPP supports
5 Staff's recommendation to add and modify certain CEC conditions in these decisions.
6 GBPP appreciates the opportunity to submit these comments.

7 RESPECTFULLY SUBMITTED this 23rd day of October, 2006.

8 LEWIS AND ROCA LLP

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10 

11 Thomas H. Campbell
12 Albert H. Acken
13 40 N. Central Avenue
14 Phoenix, Arizona 85004-4429

15 Attorneys for Gila Bend Power Partners, L.L.C.

16 ORIGINAL and twenty-seven (27) copies
17 of the foregoing hand-delivered
18 this 23rd day of October, 2006, to:

19 The Arizona Corporation Commission
20 Utilities Division – Docket Control
21 1200 W. Washington Street
22 Phoenix, Arizona 85007

23 COPY of the foregoing hand-delivered
24 this 23rd day of October, 2006, to:

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

Jane Rodda, Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

1 Maureen A. Scott, Senior Staff Counsel
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2 Arizona Corporation Commission
1200 W. Washington Street
3 Phoenix, Arizona 85007

4 COPY of the foregoing mailed this
23rd day of October, 2006, to:

5 Laurie Woodall
6 Office of the Attorney General
1275 W. Washington Street
7 Phoenix, Arizona 85007

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Betty J. Griffin

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