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Center for Biological Diversity



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Protecting and restoring endangered species and wild places of North America from the Pacific through science, policy, education, and environmental law.

March 21, 2002

Case No: 116 Docket No: L-00000AA-01-0116
Arizona Corporation Commission Docket Control for:
Commissioners Mundell, Irvin, and Spitzer
1200 West Washington
Phoenix, Arizona 85007

Arizona Corporation Commission

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Dear Commission:

Before the Commission is the above referenced case of the Allegheny Energy Supply Company, LLC for a Certificate of Environmental Compatibility (CEC) for the construction of a 1,080-MW power generating facility in La Paz County, Arizona. On behalf of our 7,500 members, the Center for Biological Diversity opposes the granting of a CEC for this merchant power plant as the environmental costs of this plant far exceed the benefits to the citizens of Arizona.

Three other plants are currently under construction in the general vicinity of this plant, and all are near the hub of the Palo Verde Nuclear Generating Facility. This places an undo burden on the aquifer, on the air, on the land and on the people of this area. Center members recreate in the Saddle Mountain and Eagletail Mountains Wilderness areas, and have been distressed by the sudden increase in power plant construction there clearly visible from many surrounding peaks.

In addition, as Arizona Corporation Commission staff has testified, the proposed plant has the very real potential to degrade both reliability and deliverability of power within the state. This runs completely counter to the Commission's mandate according to ARS § 40-360.07(B) that states the Commission:

"...shall comply with the provisions of section 40-360.06 and shall balance, in the broad public interest, the need for an adequate, economical and reliable supply of electric power with the desire to minimize the effect thereof on the environment and ecology of this state."

A press release by Allegheny Energy Supply on May 11, 2001 (obtained from the applicant's website) indicates that the power generated by the proposed plant will be sold to California:

"Allegheny Energy Supply previously announced that it would build a 1,080-MW natural gas-fired, combined cycle generating facility in La Paz County, Ariz. The Company also recently announced a 10-year contract to sell up to 1,000 MW to the California Department of Water Resources."

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With the numerous questions regarding deregulation, the fact that need and deliverability cannot be proven in Arizona at this time, and the fact that this merchant power plant intends to sell the majority of its power to out of state interests, balanced against the undue environmental harm to the area, the Commission should see its way clear to deny Allegheny Energy Supply the CEC.

The Center is a non-profit, public interest, conservation organization whose mission is to conserve imperiled native species and their threatened habitat. We ask that you overrule the Power Plant and Transmission Line Siting Committee's decision and deny Allegheny the CEC. Thank you for your consideration in these matters and concern for the welfare of the environment of Arizona.

Sincerely,



Michelle T. Harrington
Ecologist



Robin Silver, M.D.
Conservation Chair