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GILA BEND POWER PARTNERS, LI



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AZ CORP COMMISSION
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Arizona Corporation Commission
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VIA FEDERAL EXPRESS

Arizona Corporation Commission
Compliance and Enforcement Utility Division
1200 West Washington Street
Phoenix, AZ 85007
Attention: Director

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Re: Self-Certification Letter – Arizona Corporation Commission – Decision #65866
Docket Control #L-00000V-02-0119

Dear Sir or Madam:

Gila Bend Power Partners, LLC (“GBPP” or “Applicant”) files this self-certification letter regarding the above Decision Number for the Certificate of Environmental Compatibility (“CEC”) for a project in Gila Bend, AZ. The construction of the power generation station and site referred to in the CEC Decision has been delayed due to market conditions. The activities relating to the initial conditions established by the CEC document are as follows and reference numbers correspond to the conditions as numbered in the CEC:

1. The authorization for the construction of the power generation station shall expire April 25, 2008, unless construction is completed to the point that a 500kV transmission line is capable of operating by that time; provided, however, that prior to such expiration Applicant may request that the Commission extend this time limitation.
2. A copy of any transmission agreements will be forwarded to the Arizona Corporation Commission as soon as the documents are completed and signed, but in no event later than 30 days after execution of same.
3. Although not yet constructed, the planning and siting for the transmission line and related switchyard will be consistent with the visual and cultural resource analyses and shall match the structure spans and structure type with the existing Palo Verde-Kyrene line unless site-specific conditions require a structure to be moved.
4. Although not yet constructed, the planning and construction specifications will require use of dulled steel structures and non-specular and dulled conductors as necessary to reduce the contrast and visibility of the transmission line.
5. GBPP shall make every reasonable effort to ensure that such transmission line will be timely constructed in accordance with the needs of the integrated transmission grid.

6. The planning and siting for the Project will encompass location of the transmission line in accordance with the legal description (the "Alignment") attached to the CEC. When GBPP begins construction, should another line be constructed or be under construction in the Alignment (a "New Line"), then GBPP shall locate its Transmission Line 130 feet west and south of the New Line.
7. Applicant is in compliance with all existing applicable air and water pollution control standards and regulations, and with all existing applicable ordinances, master plans and regulations of the State of Arizona, Maricopa County, Arizona, the United States and any other governmental entities having jurisdiction.
8. Upon completion of same, GBPP will file a construction mitigation, revegetation and restoration plan with the Commission Docket Control and shall, within one year of completion of the Project, rehabilitate to its original state any area disturbed by the construction of the Project, except for any road necessary to access the transmission lines for maintenance and repair.
9. Applicant will survey for southwestern willow flycatchers prior to construction, and provide mitigation measures according to state and federal guidelines. If necessary, additional cactus ferruginous pygmy-owl surveys will be conducted in the appropriate season prior to construction.
10. The construction planning for the Project shall encompass procedures to conduct all construction and maintenance activities in a manner that will minimize disturbance to vegetation, drainage channels, and intermittent and perennial stream banks. In addition, all existing roads will be left in a condition equal to or better than their condition prior to the construction of the transmission line.
11. The construction planning for the Project shall specify conformance to "Suggested Practices for Raptor Protection on Power Lines" (Raptor Research Foundation, Inc., 1981).
12. The construction planning for the Project shall include the engagement of a qualified biologist to monitor ground clearing and disruptive construction activities in areas where sensitive species occur and shall bear the responsibility for ensuring proper actions are taken if a special status species is encountered.
13. Applicant will comply with Arizona's Native Plant Law and notify the Arizona Department of Agriculture no later than 60 days prior to the start of construction.
14. GBPP shall continue to consult with the State Historic Preservation Office (SHPO) to reach a determination of any cultural resource impacts. GBPP shall implement any impact avoidance and mitigation measures for cultural resources developed in consultation with the BLM and the SHPO on land under BLM's jurisdiction and with ASLD on land under ASLD's jurisdiction, and shall also work with BLM to ensure that BLM consults with the Hopi Tribe as requested in the Hopi Tribe's letter of June 6, 2002.

15. The construction planning for the Project shall encompass procedures that will avoid or minimize impacts to properties considered eligible for inclusion in the State and National Register of Historic Places to the extent possible. If human remains and/or funerary objects are encountered during the course of any ground-disturbing activities relating to the development of the subject property, GBPP shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum or the BLM.
16. The construction planning for the Project shall encompass consultation with SHPO and any applicable land-managing agency, to consider and assess potential direct and indirect impacts to eligible properties related to new access roads or any existing access roads that require blading.
17. The construction planning for the Project shall encompass GBPP's use of existing access roads along the Palo Verde-Kyrene line for construction and maintenance access and only build spur roads for access to new structures.
18. The construction planning for the Project shall encompass GBPP restricting all construction vehicle movement outside of the right-of-way to pre-designated access, contractor acquired access or public roads.
19. Post construction activity. Currently inapplicable.
20. Upon receipt of same, GBPP shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the line and related facilities, in addition to any transmission repairs, the relevant corrective actions may include adjusting or modifying receivers; adjusting, repairing, replacing or adding antennas, antenna signal amplifiers, filters, or lead-in cables; or other corrective actions.
21. When and if received, GBPP will maintain written records for a period of five (5) years of all complaints of radio or television interference attributable to operation of the Project, together with a record of the corrective action taken in response to each complaint, or lack thereof and an explanation of same.
22. Post construction activity. Currently inapplicable.
23. GBPP construction contracts will require the contractor to be instructed on the protection of cultural and ecological resources and such contracts will address federal and state laws regarding antiquities and plants and wildlife, including collection and removal.
24. The construction planning for the Project shall encompass procedures and requirements for covering construction holes at night. The covers shall be secured in place and be of sufficient strength to prevent livestock and wildlife from falling through or into any hole.

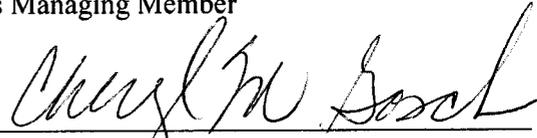
25. Prior to construction, GBPP shall conduct a cultural survey of any areas not previously surveyed (e.g., new spur roads).
26. GBPP shall, within 45 days of securing easement of right-of-way for the Project, erect and maintain signs providing public notice that the property is the site of future transmission line.
27. The construction planning for the Project encompasses providing city and county planning agencies with copies of all applicable CECs and other permits and licenses.
28. The planning and siting of the Project shall encompass placing all transmission structures a minimum of 100 feet from the edge of existing natural gas pipelines rights-of-way.
29. The construction planning for the Project shall encompass GBPP's compliance with the Standard Conditions attached to the BLM's Decision Record, attached as Exhibit D to the CEC Order docketed April 25, 2003.
30. This self-certification letter constitutes GBPP's compliance with item 30 of the CEC.

Any items of the CEC conditions not addressed in the above self-certification letter, as well as some conditions that are addressed, are part of the overall project plan, and will be included in the plan as required by the CEC document.

Regards,

GILA BEND POWER PARTNERS, LLC

By: Sammons Power Development, Inc.,
Its Managing Member

By: 
Cheryl M. Gosch, Vice President and Secretary

cc: Arizona Attorney General
Directors, Arizona Department of Environmental Quality
Department of Commerce Energy Office

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Decision #65866
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